

**ANNO XXIII.
HENRICI
OCTAVI.**

The kyng our soueraigne lord Henry
the eight by the grace of god kyng of En-
gland and of France, defender of the faith,
and lord of Irelande at the session of his
highe Court of parliament after diuers
prorogacions, holden at westminster
the .xv. day. of January, in the .xxiii.
yere of his most noble reigne to the
honour of almighty god and holy
church, & for the common weale
and profit of this his realme,
by the assente of the lordes
spirituall and temporall,
and the commons in
this present parli-
ament assembled,
and by authori-
tee of the
same,
hath ordeined established, and enac-
ted certayne good statutes la-
wes and ordinances in
maner and forme
folowynge.

THE TABLE.



- A**n acte that no person committinge petle treason murder or felonie shalbe admitted to his clergie vnder subdeacon. i.
- An acte concerninge where and vnder what maner the sayles within this realme shal be edified and made. ii.
- An acte concernynge perjurie and punishment of vntrewes verdictes. iiii.
- An acte that no brewers of bere or ale shall make their barrels kilderkins and syzkyns within them, and howe muche the same barrels kilderkins and syzkyns shall conteyne. iiii.
- A generall acte concerninge commissions of Betwers to be directed in all partes within this realme. b.
- An acte concerninge befoze whom recognisaunces of dette shall be made, and the forme of the obligation. vi.
- An acte that the statutes made for the maintenance of the Paup of this realme shall stande in full strengthe, and howe Gascoigne and French wines shalbe brought in, and the same and other be solde. vii.
- An acte that the hauens of Polymouth Dartmouth Teyngmouth Falmouth and sowey in the counties of Denonshyre and Cornwal shall be amended & mainteyned. viii.
- An acte that no person shall be cited out of the Diocese, where he or she dwel- leth, except in certayne cases. ix.
- An acte concerninge leasementes and assurance of landes or tenementes to the vse of any parische church, chapell, or such lyke. x.
- An acte concernynge breakynge of pryson by clerkes committe. xi.
- An acte against takynge of exactions for the pathes by Senerne syde. xii.
- An acte that men in cities boroughes or towynes, which be clerely woozth, in goodes shall passe in tryall of murders. xiii.
- Proces of outlarie to lie in actions of Anno. b. R. ii. in couenaunte and an- nuittie. xiiii.
- An acte that the defendant shal recover costes against the pleyntife, if the pleyntife be nonsuted, or if the verdict passe against him. xv.
- An acte that no Englyshe man shall sell, exchange, or deliuer to be conueyed into Scotlande any horse, gelding, or mare, without the kynges licence. xvi.
- An acte concerninge the true wyndynge of wolles. xvii.
- An acte concernynge pullynge downe and auoydynge of sythegarthes, pylles, stakes, heches, and other ingins sette in the riuer and water of Duse and Bumbze. xviii.

HENRICI OCTAVI.

An acte that no person committing petie treason,
murder, or felonie, shalbe admitted to his
clergie, vnder subdeacon. . . i.



Where at a parliamēt holden at westminster, in the.iii. yere of kynge Edward the fyrste, the same kynge moued the prelates of the realme, and them entorned vpon their feith, that they owed to him, that in no wise they shoulde deliuer those clerkes, whiche were indited for felonie, without due purgacion, so that the saide kynge shoulde haue no nede to put other remedie in that behalfe.

And that not withstanding after that monicion dyuers and many clerkes conuicte were accustomedly deliuered and suffered to make their purgacions, to the greate cozage of euyl doers: By occasion wherof afterwarde at an other parliament holden at westminster in the.iii. yere of kynge Henry the. iii. vpon the complainte of the commons the same kynge Henry the fourth then aduertised the prelates of the realme of the premises, enterdyng then to haue provided remedie, by auctoritee of the saide parliament, as appertained to his prerogative topall; for the conseruacion of the peace of the Crowne: At whiche time the archebischop of Canterbury, for him selfe and all other byschoppes of his prouince then openly promised to the same kynge Henry the. iii. that if any personne from thens forth were conuicte of anye treasonne, whiche touched not the kynge nor his topall maiestie, and suche as were notoriously knowen and reputed for theues, and for suche cause deliuered to anye ordinarie as a clerke conuicte, that the ordinarie, to whom suche person or personnes were deliuered, shuld safely kepe them after the effecte of a constitution prouinciall to be made by the sayde archebischop and bischops after the effecte of the letters of Symon then afore that time archebischoppe of Canturbury, bearinge date the. xii. kalendies of Marche, the yere of our lord god a. M. CCCl. and that no suche traytour nor felon shoulde make his purgacion agayne the saide Constitution, whiche constitution the saide Archebischop then promised to deliuer to the same kynge before his nexte parlyamente, to the intent that if it shoulde seme to the same kynge, that the same constitution were not sufficient remedie for the premises, that then the saide kynge myght prouide suche remedie as shoulde apperteyne in that behalfe. Sithen whiche tyme the same constitution was neuer notified ne shewed by the prelates of this realme, but continually sithen that time manifest theues and murderers indited and founde giltye of their misdeedes by good and substantiall inquestes vpon plaine and profeable euidence before the kynges Iudices, and afterwarde by the vjages of the common lawes of the lande deliuered to the ordinaries as clerkes conuicte, be speedily and hastily deliuered and set at large by the ministers of the said ordinaries for corruption

cion and lucre, or els bicause the ordinarie enclayminge suche offenders by the liberties of the church, will in no wise take the charges in saue keepinge of them, but little regardynge the triall and conuiction of the sayde offenders, by the due and plaine course of the common lawes of the lande, dooe suffre them to make their purgacions by suche as nothinge knowe of their misdoedes: and by such fraude adnull and make boide all the good and prouable triall that is bled againe suche offenders by the kinges lawes, to the greatte disclaunder of suche as pursue suche misdoers, and to the pernicious example, encrease, and corage of suche offenders, if the kynes highnes by his auctoritie royall put not speedy remedie in the premises as apperteineth.

¶ Be it therfore enacted by the kyng our soueraigne lord, and the lordes spirituall and temporall, and the commons in this presente parliamente assembled, and by auctoritee of the same, that no person nor persons, which hereafter shall happen to be founde gyltie after the lawes of this lande for anie maner of petie treason, or for anie wilfull murder of malice prepensed, or for robbynge anie churches, chapels or other holy places, or for robbinge of anie person or persons in their dwelling houses or dwelling place, the owner or dweller of the same house, his wife, his children, or seruants than being within, and put in feare and dyled by the same, or for robbynge of any person or persons in or nere aboute the highe wayes, or for wilfull burning of any dwelling houses or barnes, wherein anie grayne of cornes shall happen to be, nor anie person or persons beinge founde gyltie of anie abbettement, procurement, helpinge, mainteininge, or counsellinge of: or to anie suche petie treasons murders or felonies, shall from henceforth be admitted to the benefite of his or their clergie, but utterly to be excluded therof and suffre death in such maner and fourme as they shoulde haue done for any the causes or offences abouesayd, if they were no clerkes. Suche as be within holy orders, that is to saie of the orders of subdeacon or aboue al onely excepte.

¶ And be it further enacted by auctoritee aforesayde, that euery suche person and persones within suche orders of subdeacon or aboue, whiche at any tyme hereafter be founde gyltie of any petie treason, or of any murder, of malice prepensed, or of anie of the felonies aboue reherced, or of anye accessarie to petie treason, wilfull murder, or to any other the felonies aboue specified, and admitted to his or their clergie, and deliuered to the ordinarie for the same, shall not in anie wise from henceforth be suffered to any purgacion, nor be sette at libertie, but remaine and abide in perpetuall prison, vnder the keepinge of the ordinarie, to whom he shalbe committed and his successours, without anie maner purgacion duringe the natural lye of euery suche conuicte, Excepte onely suche person or persons so beinge within suche holy orders and conuicte, of or for any of the offences aforesayde, and deliuered to the ordinarie for the same, do fynde thoo sufficient

HENRICI OCTAVI.

ciente suerties by recognisance before two of the kynges Justices of his peace within the same shyre, where the said treason, murder, or felony, wherof he was convicted, was committed and done, wherof one of them to be of the Quorum, that suche convicted shall be of good abearynge against the king our soueraigne lord, his lawes and subiectes, every suche convict to be bounde in the summe of. xl. li. and every his sureties in. xx. li. And that no suretie be taken onlesse suche as may dispense in landes tenementes or hereditamentes yerely above all charges of estate of enberisaunce of charter holde, xxvi. s. viii. d. or els be worth. xx. li. in mouable substance at the time of the taking of suche recognisance. And that two Justices of peace, wherof one to be of the Quorum, by auctoritee aforesaide have power and autoritie to take suche recognisance. And that the said Justices, afoze whom any suche recognisance shall be taken, shall certifie the same into the kinges bench within. iiii. monethes next after the takinge thereof, vpon payne to lose and forfeite. C. s. for every default thereof.

¶ Provided alwaies, that this acte extend not to geue any benefite to any suche person or persons, whiche after their confession, or iudgement geuen agayne them of or for felony or murder, or after they be outlawed for anye suche cause be admitted to their clergie and deliuered to the ordinarie for the same, but that they and every of them shall remaine in the custodie of the ordinaries without makinge purgacion, vppon suche perill and in suche maner and fourme as it was used by the common lawe before the makinge of this present acte, this acte or any thinge therein conteyned not withstandinge.

¶ Provided alwaies, and it is further enacted, that euery ordinarie, to whose custodie anye suche convicted for anye of the offences aboue reherfed shall be committed, maie at his libertie disgrace euery suche convicted after the lawes of the church, if he se cause so to dooe, and sende the convicted so disgraced in sure and safe keepinge into the kinges bench with a certificat vnder his seale testifyinge the said disgradinge, vpon the whiche the Justices of the kinges bench, hauinge afoze them the recorde, vpon the whiche the laide personne so disgraced was fyrst convicted, shall geue suche like iudgement of death vpon the same recorde agaynst euery suche person so convicted and disgraced, as the Justices afoze whom he was convicted might haue done: if the laide person so disgraced at the tyme of his conuiction afoze them had be no clerke, his admission to his clergie, and committynge to the ordinarie, ne any other thinge vsc or custome to the contrary hereof not withstandinge. And that euery suche iudgement shall be executed accordinglye. And that euery ordinarie so sendinge anye suche convicted disgraced into the kinges bench shall be discharged agayne the king our soueraigne lord, his heires and succellours of or for any further custodie or keepinge of the same convicted.

¶ This acte to continue vnto the lasse date of the nexte parliament.

In acte concerninge where and vnder what maner
the sayles within this realme shall be
edified and made. ii.



Or as muche as it is necessarie and commendable, that
common sayles and prisiones, wherunto yuell dooers
shall be committed for their offences, shoulde be suretye
and substantially edified in suche towne in every shire
within this realme as shall be most indifferent for con-
venience of prisoners from every parte of the shire wher-
in suche sayles shalbe, and in especiall in those townes,
where most commonly the assises and sessions bene usually kepte, and
where there is moste resorte and repaire of people to thentent that by the
meanethereof fewer shall escape, and also the rather and oftener reliefe and
charitie of the people shall be to the prisoners ministered: It maie therefore
please the kinges hyghnesse with thassent of the lordes spirituall and tem-
porall, and the commons in this present parliament assembled, and by au-
thoritie of the same to enacte that the Justices of peace of every of the shires
of Esser, Suff. Dorst. Suffes, Surrey, Nottingham, Glouc. Bedforde,
Buck. Huntingdon, Wiltel. Kent, Warwyke, Stafforde, Oxen. Barkl.
Leicester, Rutlande, Lincolne, Hereforde, Northampton, Salop, North.
and Coznowall, or the moste parte of the saide Justices of peace in everye of
the saide shires within the lymittes of their commission, shal have full power
and auctoritee to limite and appoynte at anye tyme within the terme of
one yere from the ende of this present parliament the townes and places
wherewith they shall thinke moste necessarie to have a common sayle newly
edified and made. And that also the saide Justices of peace in everye of
the saide shires, or the moste parte of the saide Justices of peace within the
lymittes of their commission shall have full power and auctoritee to call
before them at tymes and places by them to be appointed, all the high con-
stables, tything men, or bozough holders of every hundred, lathe, or wa-
pentake in the shire, wherof they be Justices, and in their presence and by
their assentes and agrementes, or in the presence and by thassente of the
moste parte of them shall conclude and agree vpon suche convenient and
certaine summes of money, as shall be thoughte by their discreacions and
by examination of two or three men to suffice for the makinge and perfecte ty-
mishpyng of a newe sayle in the shire, wherof they be Justices of peace,
and therupon shall forthwith by their assentes agrementes and discreacions
take and set every suche person and persons, as than shall be resident in the
same shire, as well within liberties as without, havinge landes, ten-
mentes, rentes, or annuities of estate of inheritauce, or for terme of lyfe
to the cleere yere value of. xl. s. or above, or beyng worth the inmovable
substaunce the cleere value of. xx. li. or above, to such reasonable ayde and
sommes

HENRICI OCTAVI.

sommes of money as shall be thought convenient by their discretions to
 and for the full building makinge and finishynge of the said common tyele
 of the shire, where suche assessement shall be made. And after suche
 tacacion to name and appointe suche numbze of collectours for the levying
 thereof, as shall seme best by their discretions. And that the saide collec-
 tours and every of them shall have power and auctorite to distreine every
 suche person as shall be set or taxed by the saide Justices of peace as is a-
 fore saide in their landes or goodes, as well within liberties as without,
 and to sell the distresses by them taken by the appoyntement of .iii. honeste
 persons for the payment of the saide sommes to be taxed, if the person or
 persons taxed refuse to pay the same within .x. daies nexte after the di-
 stresse taken, taking upon every such sale but onely the money taxed, with
 reasonable costes for taking of the distresse: and the overplus of such
 sales to be deliuered to the owner of the saide distresse. And that also the
 saide Justices of peace in euery of the said shires, or the mooste parte of
 them, within the limittes of their commission, shall have power and aucto-
 ritee to name and appointe two honest persons inhabited in the saide shire,
 wherein they be Justices, which .ii. persons shall suruey, se, and provide,
 that the saide iayles shall be surely and substantially made and finished:
 to whose handes the saide collectours shall pay and deliuer the money by
 them collected of the kinges subiectes by the appointment and assign-
 ment of the saide Justices of peace or .vi. of them at the least. And that
 as well euery of the saide collectours as every of the said .ii. persons to be
 named, their heires, executours, and administratours shall declare a true
 and a iust accompt to the said Justices of peace in euery of the said shires,
 or to .vi. of them at the least from time to time when they shall be required.
 And in case any of them refuse to make accompte, or refuse to pay and em-
 ploye suche sommes of money as shall come to their handes, in suche wise
 as shall be limited and appointed by the saide Justices of peace or .vi. of
 them (as is afore saide) that than the same Justices of peace or .vi. of them
 in euery shire, where suche iayles shall be new made, shall have full power
 and auctorite, if the saide offenders be present to commit them to waerde,
 and if they be absent to make attachementes vnder their seales by their
 discretions againe euery suche collectour and person, to whose handes any
 of the saide sommes of money taxed shall happen to come, their heires
 executours and administratours and every of them, into euery shire and
 parte of this realme, as well within libertie as without, to be returnable
 afore the saide Justices of peace, at suche day and place as by them shall be
 appointed, and to be directed to the shireffe or shireffes of the shire, wherein
 the partie or parties, againe whom suche attachement shall be directed, shall
 be resident and abiding, if it be within the bayliwicks of the shireffe, and
 if it be without, than to be directed to the baylis of the libertie, wherein
 suche partie shall abide. And that euery shireffe and bailiffe of libertie,

to whose handes suche attachementes shall come, without favour or corruption shall attach the said offenders, and personally bringe them before the said Justices according to the tenour of thattachment to them directed, or els declare by his returne of the said attachement some reasonable cause why he cannot so do, upon paine for every default by them or any of them committed contrarie to this acte to lose & forfeite. C. s. to the kinge our soveraigne lord: and upon the apparance of every suche person so attached the said Justices or. vi. of them shall have full power and auctoritie to commit them to prison, there to remaine without baile or mainprise till they have truly accompted and payde all such sommes of money as came to their handes by the assignement of the said Justices by auctoritie of this acte. And in case there happen to remaine any overplus of money after the sayles fully and wholly finished, than it is ordered, that the same overplus shalbe employde and bestowed in almes to the prisoners to be committed to the said sayle by the discretions of the said Justices of peace or the more parte of them, as long as it will last.

It is provided alway, that this acte extende not to charge any persons inhabited within any cities townes or boroughes corporate, which have common sayles for felons taken in the same, & have iustices of peace for deliveraunce of such felons, for any taxes or lottis to the makinge of the said common sayles of any the shires about named, but that every suche inhabitant in any suche citie towne or borough corporate shalbe utterly discharged therof.

And be it further enacted that severall commissions under the kinges great seale, with this present acte thereto assented, shall be directed to the Justices of peace of the shires aforesaid named, auctorizing them to accomplish and execute this present acte according to the tenour thereof in every behalf, and that the said Justices of peace in every of the shires aforesaid named have power and auctoritie to committe to every of the said collectors, and persons by them to be named, that shall take peines for levying of the money taxed or for the surveyng of the makinge of the said sayles, such reasonable sommes for their peines and labours for the collection of the sayde money and surveyng the makinge of the said sayles.

And be it further enacted by the auctoritie aforesaid, that all murderers and felons shalbe imprisoned in the said common sayles, and not els where. And that the shireffes shall have the keeping and charge of the same newe sayles: and that every shireffe be allowed upon his accopt in the eschequer for all & every such sommes of money as he shal hereafter happen to expende in & about the necessarie reparacions or amēdmentes of the said sayles, after they be ones made from time to time as often as neede shall require: and that the barons of the kinges eschequer have power to allow every shireff in every suche case by their discretions without any bill or warrant to be sent from the kinges highnes in that behalfe.

It is provided alwayes that this acte be not in any wise hurtfull or prejudiciall to any person or persons

HENRICI OCTAVI.

persons hauing any common iayles by inheritance for terme of life or for yeres, but that they shall haue and enioy their said iayles and the pofittes fees and commodities of the same as they had or might lawfully haue had before the makinge of this acte, and as if this acte had neuer ben had ne made.

¶ Be it further enacted by auctoritie aforesaid that like prouision in euery behalfe be had for a new Bayle to be made within the countie of Derby in like fourme as is prouided for other shires aforesaide.

An acte concerning perurie and punishment of vntreue verdictes. iii.



He kinge our soueraigne lord of his moste godly and gracious disposicion calling to his remembrance how that perurie in this lande is in manyfolde causes by vnreasonable meanes detestably bled to the disheritaunce and greate damage of many and great nombze of his subiectes, well disposed, and to the most highe displeasure of almighty god.

The good statutes against all officers haupng retorne of writtes & their deputies making panelles partially for rewardes to them geuen, against vnlawfull maintainours embzalours and Jurours, and against Jurours vntreuely geuinge their verdicte not withstandinge. For reformation wherof, and for as muche as the late noble kinge Henrie the seventh, prouided remedie for the same by a statute made in the .xi. yere of his reigne, whiche statute is now expired. Be it therfore now enacted by the king our soueraigne lord and the lordes spirituall and temporell and the commons in this present parliament assembled, and by auctoritie of the same that vpon euery vntreue verdicte hereafter geuen betwext partie and partie, in anie suite, playnte, or demaunde, before anye Iustices or Judges of recorde, where the thinge in demaunde and verdicte therevpon geuen extendeth to the value of .xl. li. and concerneth not the reuerdie of mans life, the partie greued by the same verdicte shall haue a writte of atteint against euery person hereafter so geuing an vntreue verdicte and euery of them, and against the partie, whiche shall haue iudgement vpon the same verdicte. And that in the same atteint, there shall be awarded against the petit Jurie, the partie, and the graunde Jurie Somons Besoyn and distresse infinite, whiche graunde Jurie shall be of like numbze as the graunde Jurie is now in atteinte, and euery of them, that shall passe in the same, shall haue landes and tenementes to the value of twentie markes by the yere of freeholde out of the aunient demeane. And vpon the distresse whiche shall bee deliuered of recorde vpon the same open proclamation to bee made in the courte there, The distresse shall bee awarded more than fiftene daies afoze the retolue of

of the same distresse, and every such distresse shall be made upon the lande of every of the said graunde Jurie as in other distresse is hath ben used. And if the said partie defendant or the petite Jurours or any of them appere not upon the distresse, than the graunde Jurie to be taken against the and every of them that shall so make default. And if any of the said petite Jurie appere, than the partie complainant in that behalfe shall assigne the false serement of the first verdicte vntreuely geuen, wherunto they of the petite Jurie shall haue none answer, if they be the same persons, and the writte proces returne and assignement good and lawfull, except that the demaundant or pleintife in the same Atteint hath afore ben nonsute or discontinued his sute of atteint taken for the same, or hath for the same verdict in a writte of atteynt had iudgement against the said petite iurie, but only that they made trewe serement, whiche issue shall be tried by: xiiii. of the said graunde iurie, and the partie shall pleade, that they gaue trewe verdicte, or any other matter, whiche shall be a sufficient Barre of the said atteynt. And that plee not withstanding the graunde iurie to be taken without delay to enquire whether the first iurie gaue trewe verdicte or no. And if they finde that the said petite iurie gaue an vntrewe verdicte, than every of the said petite iurie to forsaite. xx. li. wherof the one half shall be to the kinge our soueraigne lord, and the other halfe to the partie that sueth. And ouer that, that every of the said petite iurie shall leuerally make fine and raunsome by the discrecion of the Iustices, before whom the said false serement shall be founde after their leuerall offences defaults and insufficiency of every of the said petite Jurie. And after that, that those of the said petite iurie so atteinted shall neuer after be in any credence, nor ther after accepted in any court. And if such plee as the partie pleadeth, whiche is a Barre of the said atteint, be founde or deemed against him that so pleadeth, than the partie that so sueth shall haue iudgement to be restoyed to that he lost with his reasonable costes and damages.

For seene alway that any belatien action or cause personall, or excommuniement pleded or alleged in the partie pleintife or demaundant shall be taken but as boyde plee, and to that he shall not be put to answer. And that in all the aforelaide processe such day shall be giuen as in a writte of Wower, and none esloyn or protection to be nor to be allowed in the same. And if the said graunde iurie appere not upon the first distresse had against them, so that the iurie for their default doo remaine, he that maketh default shall forsaite to the kinge. xx. s. and upon the seconde distresse. xl. s. and after making default for every such default. vi. li. And like penalties and forfaitures to be against them and every of them that shall be named in the Tales, as is afore expressed against every of the said graunde Jurie aforelaide. And that for and by the deathe of the partie or any of the said petite iurie, the said atteint shall not abate nor be defeated against the remenant, as longe as two of the said petite Jurie be alyue.

And

HENRICI OCTAVI.

¶ And if hereafter any false verdicte be geuen in any action suite or de-
maunde afoze any Justice or iudge of recozde of any thinge personall, as
dette, trespas and other like, whiche shall be vnder the value of .xl. li. that
than the partie greued shall haue atteint with suche proces & pleas as is
afoze reherled, and delaies to be taken away as is afoze remembred excepte
that in this case of atteint every person of the graunde iurie that may dis-
pende .v. markes by the yere of freholde out of ancient demene, or is worth
an hundred marke of goodes and cattels, shall be able to passe in the same
atteint. And if the petit iurie be atteinted, that than they shall in this case of
atteint euery of them to forfait .v. li. wher of one halfe shall be to the kyng,
and the other halfe to the partie, after the forme afoze reherled, & ouer that
to make fine and ransome by the discrecion of the Justices, as is afozesaid.

¶ And if there be not persons of suche sufficiencye within the shire or place
where any of the said atteintes shall be taken, as may passe in the same: be
it ordeined by the auctorite aboue said, that than one Tales shall be awar-
ded into the shire nexte adioynng by the discrecion of the Justices, afoze
whom þ same atteintes shall be taken, which shall be warned to appere vpo
like peines as is afozesaid, and enabled to passe in the said atteintes, as if
they were dwelling in the shire, where the same atteint shall be taken. And
that the same lawes action and remedie ordeined by this present act be kept
for and to all them that shall be greued by suche vntue verditcs of any in-
heritance, in discent reuercion remaindre, or of any freholde in reuercion
or remaindre. And if the partie in atteint given by this act be nonsuite, or
the same discontinue, that than the same partie so nonsuite or so discontinu-
yng the said atteint make fine and ransome by the discrecion of the justices
afoze whom the said atteint shall be taken and depending.

¶ And that all atteintes hereafter to be taken, shall be taken afoze the king
in his benche, or afoze the iustices of the common place and in nohe other
courtes. And that Fili prius shall be granted by discrecion of the iustices
vpon the distres, and euery of the saide petit iury may appere & answer by
attourney in the saide atteint. And that the moite of the saide forfaiture of
the petite iurie shall be leuied to thuse of our soueraigne lord by Capias ad
satisfaciend. or Fieri fac. or Elegit, or by action of det against euery person
of the petit iurie so forfaitinge, and against his executors & administra-
tors hauing thā sufficient goodes of their said testatour not administred
and the other moite shall by like processe be leuied to the vse of the partie
that sueth any atteint geuen by this acte against euery of the sayde petite
iurie and his executors or administrators, hauinge than sufficiencye of
goodes as is afozesaid not administred: and the iudgement of restitution
to the partie greued suing this acte & execution of the same to be had, & like
iugemēt for the partie defendant or tenāt to be discharged of restitution, as
afoze this present act in case of a grand atteint hath ben vled. and if there
be diuers plaintifes or demandantes in atteint, that the nonsuite or releffe
of

of any of them shall not be in any wise hurtful or prejudicial to the residue, but that they and every of them in such cases may be sold and severed like as it is used when there by divers demandantes in actions real.

Be it also ordeined & enacted by thaucozitee abovesaid, & in every writ of attaint hereafter to be taken by or upon this acte, the which shall be such as other writtes of attaint be, and after the Telle of the same writ shall be written these wordes in latin: *Per statum. continuat. Usq; anni vicesimum tertium dñi Henr. octavi dei gratia Anglie & Frac. regis; fidei defens. & domini Ciber.*

And it is also enacted, that this acte shall take effecte for verdictes hereafter to be geuen and to continue to the last day of the next parliament.

Provided alway, that this acte be not prejudicial to a statute made in the .xi. yere of the late king of famous memorie Henry the. vii. for punishment of perjury in untrue verdictes geuen in plaintes sued in the courtes of the cite of London, but that it shall be at the libertie of all persons for and upon any untrue verdict giuen in any courtes of the same cite, to sue their attaint upon this estatute, or els upon the saide estatute made in the saide .xi. yere at their owne pleasures and willes.

An acte that no brewers of bere or ale shall make their barrells kilderkins nor firkins within them, and how much the same barrells kilderkins and firkins shall contene.



Where the ale brewers and bere brewers of this realme of Englands have used a daily dole for their owne singular lucre profit & gaine to make in their owne houses their barrells kilderkins & firkins of much lesse quantitie, content rate and allise than they ought to be, to the greates hurte prejudice and damage of the kinges liege people, and contrarie to diuers actes statutes ancient lawes & customes heretofore made had and used & to the destruction of the poore craft or mistery of coupers. For reformation wherof be it enacted by the king our soueraigne lord, the lordes spirituall and temporall, and the commons in this present parliament assembled, and by auctorite of the same, that no bere brewer nor ale brewer, that shall brew to sale beer or ale shall from henceforth occupy by him self, nor by any other to his use in his house nor els where the mistery or craft of coupers, nor make any barrells kilderkins firkins or other vessels by him selfe, nor by his or their owne seruantes, wherby they shall put their bere or ale to sale, but that all such barrells kilderkins and other vessels of woode, wherewith they shall put their bere or ale to sale, shall from henceforth be made & marked according as hereafter shall be expressed by the common artificers of coupers exercised & practised in the said occupation, upon paine to forfeite & pay for every such barrell kilderkin firkin or other vessel, hereafter to be made contrary to & tendoz of this act. iii. s. iii. d.

And

HENRICK OCTAVIA

¶ And be it further enacted, that every artificer of the craft or skill of coupers, that will exercise of his craft to make any other such vessels for here or else to be put to sale, shall make the same vessels and every of them of good and reasonable wood, and put his proper mark upon every of them. And that every such barrel for here shall containe .xxvi. gallons, every half barrel for here .xiii. gallons, and every firkin for here nine gallons of the kinges Standarde gallon. And that every barrel for ale shall containe .xxvi. gallons, every half barrel for ale .xiii. gallons, and every firkin for ale .ix. gallons of the kinges Standarde gallon. And that every such vessel shall be of good and true measure, or else about and not under. And that no cooper shall make any such vessel for here or else to be sold abroad, unless he make of some greater or lesser number of gallons than is above said, unless he shall cause to be marked upon every such vessel, that he shall so make of greater or lesser number of gallons, the true and certain number of such such gallons as every such other vessel shall containe, so that intent that every person may know the content thereof. And that no such artificer of coupers shall enhance the prices of any such barrels half barrels firkins or other vessels in the sale thereof to any ale brewer or to any other person, but keep the rates of such prices as he hath set forth, and not about upon paine to forfeite for every such barrel half barrel and firkin defective or enhanced in price in any point contrary to this act. iii. s. liti. d. That is to wit for every such barrel half of ale .xxvi. s. and the ale half barrel .xiii. s. and the ale firkin .ix. s. And be it further enacted by the said act, that no such barrel nor ale half barrel at any time after the feast of Lammes nexte comminge shall be put to sale to any person or persons to be bought and occupied within this realme in any other barrels, half barrels, firkins, or other vessels of wood, other than shall be made and marked by an artificer of coupers above said, whether such barrels half barrels shall containe and hold .xxvi. gallons, every half barrel for here .xiii. gallons, and every firkin .ix. gallons. And every barrel for ale shall containe .xxvi. gallons, every half barrel .xiii. gallons, and every firkin .ix. gallons of full and true measure or above, and not under that measure. And that every such brewer and ale brewer shall not take more and above for every such barrel half barrel or firkin of all and here, but after such prices and rates as shall be thought convenient and sufficient by the discretions of the Justices of peace within every shire, where such such brewer and ale brewer shall dwell without any such city borough or town or port, where no head officers, as mayors, bailiffs, sheriffs, and other head officers have none authority nor rule, & in every such city borough and town where there be mayors sheriffs or other head officers, the same rates & prices to be named and called by them & every of them by their discretions. And that the same

ale bytters or bere bytters at any time hereafter shall not sell or byt
 nor ale at any higher rates or prices than shall be to them assigned after
 the fourth about which, upon paine to lose and forfeit for every barrell
 so put to sale contrary to this statute. vii. s. for every halfe barrell. or hyl-
 derkin. xii. s. iii. d. and for every fishyn. xii. s. and for every vessell con-
 taininge greater number of gallons. x. s. and for every other vessell con-
 taininge lesser number of gallons. vii. d. The one halfe of all the bytch pe-
 nalties and forfeitures to be to the bytch our sovereign lord. and the o-
 ther halfe to him that shall sue for the same, by action of debt by bill plaint or
 information in any of the kinges courtes, in which action and suite the
 defendant shall not wage his lane, nor any other privilege
 this actuted. And also further enacted by the said act and statute, that all maner of cope
 wares within the realme of Englande, which shall put to sale any cope
 by barrell halfe barrell fishyn or bytch vessell, shall from thenceforth nowe
 nethe coming make or cause to be made their barrells halfe barrells fishyn
 and other vessells accordinge to the rates contentes weightes and assises
 of olde tyme used and accustomed, that is to say, every emptie barrell to
 holde and contayne. xxi. gallons or about, and to be in weight. xxi.
 poundes, and not above of full and iust measure; and every halfe barrell
 empty to be in weight. xii. li. and not above; and to holde and contayne. xvi.
 gallons or about; and every fishyn empty to be in weight. iii. poundes and an halfe
 and not above, and to holde and contayne. xii. gallons or about, upon paine
 of forfeiture for every such barrell halfe barrell fishyn or other vessell here-
 after to be made had or used contrary to this act. vii. s. iii. d.
 And also be it enacted by the said act and statute, that the wardens of
 the corporation or mistere of carpenters within the cite of London from hence-
 forth shall have power and authority to have they shall thinke convenient & expedient,
 taking with them an officer of the mistere, shall have full power and au-
 thorite by vertue of this acte, to serche bytch and gage all maner of suche
 barrells hyl derkin fishyn and other vessells to be made or occupied for
 ale here and sope to be put to sale within the cite of London, and suburbs
 of the same, and within two myles compass without the same suburbs, to
 viewe, and see that the same barrells hyl derkin fishyn and other vessells, as
 well within liberties as without be made and marked wel and sufficiently,
 and beate and contayne their true contentes rates and measures accordyng
 to the effect of this statute: And also to marke every such barrell hyl der-
 kin fishyn and other vessell by them so viewed and gaged bearing a con-
 teynge their true contentes, with the signe & token of saint Antonys crosse.
 The same wardens to have for the serche and gaging of every such barrell
 hyl derkin fishyn and other vessell by them so serched viewed gaged & mar-
 ked one farthing, and not above, of the owners or makers of the said ves-
 sels. And shall and may have authority by vertue of this acte to reterne
 every

HENRICI OCTAVI.

every such vessel as they shall so gage seche and marke, vnto such time as they shall be satisfied thereof. And in case they shall fynde any of the saide vesselles defective, not bearynge their true contentes, that than by auctoritie of this acte they maye lease take and receyue every such vessel, and cause the same to be marked or amended accordyng to the trewe content, or els cause the same to be byrned. And also the partie owner of such vessel to lose and forsaite: for every such vessel not beinge of the full contentes after the rate aboue expressed. xij. d. to be recouered and employde as is abovesaide.

¶ And be it further enacted by the saide auctoritie, that in all other cities borowes and townes, wherin no such wardens of coupers be, that the mayres shryffes bailiffes constables or other head officers in such cities borowes and townes shall haue power and auctoritie to setche biewe and gauge all such barrells bylderkins syzkyns and other vesselles to be made hereafter in any such cite borowe or towne, and to haue and take all such auantage thereby and in lyke maner and fourme as the wardens of coupers within the cite of London or other persons by this acte shulde or may haue or take on every behalfe.

¶ Provided alwaies, that every here byrwer may kepe in his house one or two seruantes of the misterie or crafte of coupers, to hooue and amende his barrellles bylderkins syzkyns and other vesselles, wherin they shall put their here to sale from time to time, this acte or any thing therein contained to the contrarie in any wise not withstandinge.

¶ And be it further enacted by the saide auctoritie, that if any personne at any tyme after the saide feast of Lammes nexte cummyng, dooe minishe or cause to be minishe anye maner of barrell bylderkin or syzkyn to the decrete of anye the kinges subiectes by reason of takinge out the head of anye such vessel, or takinge out of anye waste out or from anye such vessel, that than euerye such vessel to be byrned, and thossonder to forsaite for euerye such offence. iii. s. iiii. d. the one moitie thereof, to be to the kynge our soueraigne lord, and thother moitie thereof to him or theim of the kinges subiectes that woll sue for the same, to be recouered in maner and fourme aboue rehersed. And the partie so offendyng to be further punished by the discrecion of the head officer or officers, befoze whom such default shalbe presented.

¶ It is enacted by the auctoritie of this presente parliamente, that not withstandinge anye thinge conteigned in this acte of byrwers and coupers, wherunto this Cedula is annexed, it shall bee lefull to euerye ale byrwer mencioned in the same acte, to haue and retaine in his seruice one personne of the misterie or crafte of coupers, to exercise in his seruice the crafte of a couper, onlie in bindinge houpyng and punyng his maisters ale vesselles recited by the saide acte, and in none other wise to vse or exercise anye makinge of vesselles concernyng the crafte or misterie of a couper,

whiles that he is in the seruice of any ale brewer. Also it is enacted, that every couper, whiche hereafter shall make any ale vessel specified in the sayde acte, shall from the feast of Penthecost nexte comminge make every such vessel accordyng to the assise specified in the treatise called Compolutio mensurarum, that is to saie every barrell for ale contene .xxii. gallons of the saide assise or above, of the which. viii. gallons make the common bushell to be vsed in this realme of Englande, every kylderkin for ale xvi. gallons of the saide assise or above, and every firkin. viii. gallons of assise or above, vpon paine of forfaiture of .iii. s. iiii. d. for euerye of the same vessels by him buttrelly made contrary to this acte: the one half of the same forfaiture to be to the kinge, and thother to him that will sue for the same by action of dette by ill plaint writte or otherwise, In which action none eloyne protection or wager of lawe shall be allowed.

¶ And be it also enacted, that every couper make his vessel with his own marke, vpon payne of .iii. s. iiii. d. to be leued and recouered after like manner and forme as is above saide. And that no maner of person in the serch maynge for the true gaugynge of any such vessels, shall put out the ale of anye such vessel, wherby the same ale shalbe the worse. And that it shall be lawfull to every ale brewer to brynge carie and cause to be brought and caried their ale to the householdes of our soueraigne lord the kyng, the queene, the princes, and to euery archbishoppes, byshoppes, dukes, marshalles, Ecles, barons, or other honorable mennes houses in tonnes, buttes, pyppes, hoggesheades, or other vessels of greater or larger quantitie than is expressed in this present act, as before tyme hath ben vsed in that behalfe. And also it shall be lefull to the saide alebrewers to brynge carie or cause to be brought conueyde or caried their ale to euery mans house in barrells kylderkins and fyrdens bearynge and holdyng their trewe contentes accordyng to the purpote and effecte of this present acte, any thyng contayned in the same acte to the contrary hereof not withstandinge.

¶ A generall acte concerninge commissions of sewers to be directed in all parties within this realme. v.



Our soueraigne lord the king like a vertuous and most gracious prince, nothing earthly so highly welyng as the aduancynge of the comon profite welth & comoditie of this his realme, considering the daily gret damages & losses, which haue happened in many & diuers parties of this his said realme, as wel by the reaso of the outrageous flowing surges & course of sea, in & vpon marsh grounds & other low places heretofore throughth poltique wisdomme wonne and made profitable for the great common welth of this realme, as

HENRICI OCTAVI.

as also by occasion of lande waters and other outrageous springes in and
 upon meadowes pastures and other lowe groundes adioyninge to ryuers
 fluddes, and other water courses: And over that by and through mylles
 mldammes weares fiffgarthes kedels gozes gootes fludgates lockes
 and other impedimentes in and vppon the same ryuers and other water
 courses, to be inestimable damages of the common wealth of this realme,
 whiche dailie is likelie moze and moze to encrease, onlesse speedie redresse
 and remedie be in this behalfe shortly prouided: wherem all be it that dy-
 uers and manie promissions haue bene befoze this tyme made and ordeined,
 yet none of them are sufficiente remedie for reformation of the premises,
 hath therfore by deliberate aduise and assent of his lordes spiritual and
 tempozall, and also his louinge commons in this presente parliamente
 assembled ordeined established and enacted, that commissions of seizers
 and other the premises shall be directed in all parties within this realme
 from tyme to tyme, where and whan nede shall requyre accordyng to the
 maner fourme tenour and effecte hereafter ensuynge, to suche substantiall
 and indifferent persons as shall be named by the lord Chancellor and lord
 Treasorer of England, and the two chiefe Justices for the tyme beinge,
 or by thre of them, wherof the lord Chancellor to be one.
C Henry the. viii. et. Knowe ye that for as muche as the walles by the
 banks gartures sewers gozes calenes bridges streemes and other defences
 by the coastes of the sea, and marthe groundes beinge and lyenge within the
 hundredes of B. or C. in the countie or counties of B. or C. in the borders or
 confines of the same, by reynge of the sea, flowynge and
 reflowynge, and by meane of the trencher of frolde wadis beflowynge
 and haupynge course by dyuers wayes to the sea, be so vntyre lateate
 and broken, And also the common passages of ryppes balonges
 and botes in the ryuers streames and other fluddes within the limites
 of B. or C. in the countie or counties of B. or C. in the borders or
 confines of the same by meane of letynge by erectynge
 and makynge of streames mylles dyppes poudes fiffgarthes mld-
 dammes lockes hebbynge wettes herkes and fludgates, or other the let-
 tes impedimentes or annoyances be lited or interrupted, So that great
 and inestimable damage by defaute of reparation of the saide walles by
 the banks fences sewers gootes gartures calenes bridges and strea-
 mes, And also by meane of letynge by erectynge makynge and enlar-
 gyng of the sayde fiffgarthes mldammes lockes hebbynge weares
 herkes fludgates and other the annoyances in tymes past, hath happe-
 ned, and yet is to be feared, that farre greater hurtte losse and damage is
 to be feared, wherfore that speedie remedie be prouided in that behalfe.
 Wherfore for that by reason of our dignitie and prerogative royall we
 be bounde to prouide for the safete and preservation of our realme of En-
 gland, wyllynge that speedie remedie be had in the premises, haue assigned

pon and fire of you, of the whiche we wyll that A. B. and C. shall be thre
to be our Justices to surveye the saide walles streemes ditches banks gutters
sewers goles calces bridges trenches milnes milldammes fludgates pon-
des lockes hebbing weres and other impediments lettes and annoyances
afoze saide, and the same cause to be made corrected repaired amended put
downe or reformed, as case shall requyre after your wisdomes and discre-
tions, And therein as well ordeine and do after the fourme tenour and
effecte of all and singular the statutes and ordenances made befoze the
first date of Marche in the xxii. yere of our reigne, touching the premises
or anye of them, as also to enquire by the othes of the honeste and lawfull
men of the saide shire or shires place or places, where suche defaultes or
annoiances be, as wel within the liberties as without (by whom the trowth
may the rather be knowne) through whole defaulte the saide hurtes and
damages have happened, and who hath or holdeth anye landes or tene-
ments or common of pasture or profite of fishinge, or hath or maye have any
hurte losse or disadvantage by anye maner of meanes in the saide places, as
well nere to the saide daungers lettes and impediments, as inhabiting or
dwellynge there aboutes by the said walles ditches banks gutters goles
sewers trenches and other the said impediments and annoyances. And
all those persons and every of them to take assesse charge distraine and pu-
nysh as well within the waters liberties and boundes of olde time ac-
customed or otherwise as els where within our realme of Englande, after
the quantitie of their landes tenementes and rentes by the pountes of
acres and perches, after the rate of every persons portion tenure or pro-
fite, or after the quantitie of their commune of pasture or profite of fis-
hyng or other commodities the by suche waies and meanes and in such
maner and fourme, as to you or he of you, wherof the said A. B. and C.
to be thre, shall seme moste convenient to be ordeined and done for redress
and reformation to be had in the premises: And also to reforme repaire
and amende the saide walles ditches banks gutters sewers goles calces
bridges streemes and other the premises in all places needfull: and the
same as often and where neede shall be to make newe, And to cleanse and
purge the trenches sewers and ditches in all places necessarie, And further
to reforme amende prostrate and overthrow all suche mylles streames
poundes lockes fludgates hebbing weres and other impediments
and annoyances afoze saide, as shall be founde by inquisition or by your
surveyinge and discretions to be excessive or hurtfull. And also to depu-
te and assigne diligent faithfull and true keepers bailiffes surveyours collec-
tours expeditours and other ministers and officers for the lawfull con-
servacion reparacion reformation and mendinge of the premises and
every of them, and to bere the accompte of the collectours and other mi-
nisters, of and for the recyte and levynge out of the money that shall be le-
vied and payde in and aboute the makinge reparynge reformynge and
amen.

HENRICI OCTAVI.

amending of the saide walles, ditches, banks, gutters, gotes, setworks, calcis, bridges, streames, trenches, milles, poudes, lockes, fullgates, fullgates and other impedimentes and annoyances aforesaide. And to distreine for the arreages of euery such collection taxt or assesse as often as shall be expedient, or otherwise to punish the defaulters and defaulters of the same by fines amerciamentes, pynes or other like meanes after your good discretions. And also to arrest and take as many cattes, hoxles, oxen, beasts, and other instrumentes necessarie, and as many woorkmen and labourers as for the said woorkes and reparacion shall suffice, paying for the same competent wages, salarie and stipend in that behalf. And also take such as many trees, wodes, underwodes and timber and other necessaries as for the same woorkes and reparacions shall be sufficient at a reasonable price by you or use of you, of the whiche we will that A. B. and C. shalbe thre to be assessed or limited as well within the limites and boundes aforesaide, as in any other place within the saide countie or counties nere vnto the saide places: and to make and ordeine statutes, ordonances and prouisions from time to time as the case shall require for the sauegarde, conseruation, redress, correction and reformation of the premises and of euery of them, and the parties lying to the same necessaries and behooufull after the lawes and customes of Romaine marche, in the countie of Kent, or otherwise, by any waies or meanes after your owne wisdomes and discretions. And to heere and determine all and singular the premises, as well at our suite as at the suite of any other what so ever, complaininge before you or. vi. of you: wherof A. B. and C. shall be thre, after the lawes and customes aforesaide, or otherwise by any other waies and meanes after your discretions. And also to make and direct all writtes preceptes, warrantes, or other commandmentes by vertue of thes presentes, to all shiriffes, bailiffes, and all other ministers, officers, and other persons, as well within liberties as without, before you or use of you, wherof the said A. B. and C. to be thre; at certayne daies, termes, and places to be prefixed, to be returned and receiued. And further to continue the process of the same, and finally to doo all and euery thinge and thinges, as shall be requisite for the due execution of the premises by all waies and meanes after your discretions. And therefore we commaunde you that at certayne daies and places, when and where ye or. vi. of you, wherof the said A. B. and C. to be thre, shall thinke expedient, ye do suruey the saide walles, fences, ditches, banks, gutters, gotes, setworks, calcis, poudes, bridges, riuers, streames, water courses, milnes, lockes, trenches, fullgates, fullgates and other the letters impedimentes and annoyances aforesaide, and accomplished fulfill here and determine all and singular the premises in due forme and to the effects aforesaide, after your good discretions: And all such as ye shall finde negligent in the said woorkes, reparacions or reformation of the premises, or negli-

negligent in the due execution of this our commission, that ye doo compel them by distresse fines and amerciamentes, or by other punishmentes waies or meanes, whiche to you or lixe of you, wherof the saide J. B. and C. shall be thre, shall seeme most expedient for the speedie remedie redresse & reformation of the premisses and due execution of the same. And all suche thinges as by you shall be made and ordeined in this behalf, as well within liberties as without, that ye do cause the same firmly to be obserued, doing therein as to our Iustices appertaineth after the lawes and statutes of this our realme and according to your wisdomes and discretions.

Saued alwaies to vs suche fines and amerciamentes as to vs therof shal belonge.

And we also commaunde our shireffe or shireffes of our said countie or counties of _____ that they shall cause to come before you or lixe of you, of the whiche J. B. and C. shall be thre, at suche daies and places as ye shall appoint to them: suche and as many honest men of his or their bailwicke as well within the liberties as without, by whom the trouth may best be knowen, to inquire of the premisses. Commandinge also all other ministers and officers as well within libertie as without, that they and euery of them shall be attendant to you in and about the due execution of this our commission. In witnesse wherof we have caused these our letters patentes to be made. Witness our selfe at _____ the _____ day of _____ in the _____ year of our reigne.

And it is also enacted, that euery suche person as shall be named Commissioner in the saide Commission, after he hath knowledge thereof, shall effectually put his diligence and attendance in and about the execution of the saide commission. And before he shall take upon him the execution of the saide commission, he shall take a oþþor alþoþe before the lord Chancellor, or before suche to whom the saide lord Chancellor shall directe the henges writte of *Ad iudicium potestatem*, to take the same, or before the Iudices of the peace in the quarter sessions holden in the shire where such commission shall be directed: the tenor of whiche oþþe hereafter ensueth. We shall shewe, that you to your cunning witte and power shall truly and indifferently execute the auctowtie to you geuen by this commission of shewers: without any fauour affection corruption dyde or malice to be borne to any maner person or persones: And as the case shall require ye shall consent and endeuour your selfe for your parte to the best of your knowledge and power to the makinge of suche hollome iuste equal and indifferent lawes and ordinaunces, as shal be made and diuided by the most discrete and indifferent nombre of your felowes being in commission with you for the due redresse reformation and amengement of all and euerye suche thinges, as are contented and specified in the saide commission: and the same lawes and ordinaunces to your cunning witte and power cause to be put in due execution, without fauour mede dyde malice or affection as god you helpe and all saintes.

And

HENRIQUE OCTAVI.

And it is also enacted by the auctoritie aforesaide, that all and every statute acte and ordenance heretofore made concerning the premises or any of them, as well in the time of our soueraigne lord the kynge that now is, as in the time of any of his progenitours kings of this realme of Englande, not being contrarie to this presente acte, nor here tofore repelled, from henceforth shall stande and be good and effectuell for ever, and to be put in due execution according to the true meaninge and purposes of the same.

¶ And over that he it enacted, that the commissioners here after to be named in any of the said commissions according to the purposes and effects of the same commissions, have full power and auctoritie to make constitute and ordeine lawes ordnances and decrees, and further to doo all and every thinge mentioned in the said commission according to the purposes effects wordes and true meaninge of the same; And the same lawes and ordnances so made to reforme repell and amende, and make newe from time to time, as the cases necessary shal require in that behalf.

¶ Provided alway and it is enacted, that if any person or persons being assailed or tared to any lot or charge for any landes tenementes or hereditamentes within the limittes of any commission hereafter to be directed, do not pay the said lot and charge according to the ordnance and assignment of the commissioners, havinge power of the execution of the sayde commission: by reason wherof it shall happen the said commissioners havinge power of execution of suche commission, for lacke of paiement of suche lotte and charge to decree and ordeine the same landes tenementes and hereditamentes from the owner or owners thereof and their heires & the heires of every of them, to any person or persones for terme of yeres, terme of life in fee simple or in taile for payment of the same lotte & charge, that than every such decree and ordnance so by them made ingroled in parchment, and certified, vnder their seales into the kinges court of Chancerie, with the kinges roiall assent had to the same, shal binde al and every person and persons, that at the making of the same decrees had any interest in suche landes, tenementes, or hereditamentes, in vble possession reuercion or remaindre their heires and feoffes and every of them, & not to be in any wise reformed onesles it be by auctoritie of parliament hereafter to be summoned and holden within this realme.

¶ And also it is provided by auctoritie aforesaide, that the same lawes, ordnances and decrees to be made and ordeined by the said commissioners or any of them by auctoritie of the said commission shall binde as well the landes tenementes and hereditamentes of the kinge our soueraigne lord as al and every other person and persones and their heires for what their interest as they shall fortune to have or may have in any landes tenementes, or hereditamentes or other casuall profite advantage or commoditie what so ever they be, wherunto the sayde lawes ordnances and decrees shall

shall in any wise extende according to the true purport meaning and intent of the same lawes.

And it is furthermore by the auctorite afore sayde establisshyd and enacted, that if any maner of person or persons of what estate or degree so ever he or they be of, that from henceforth doth take upon him or them to sue by vertue of any of the saide commissions, not being before sworn in foraine as is aforesaide, and according to the tenour of the othe afore speikyd :

Or if any person so named and sworn doo litte as is afore said not having landes and tenementes or other hereditamentes in fee simple, fee taille or for terme of life to the cleere pery value of .xl. markes above al charges to his owne use, except he be a knight and fre of any cite borough or towne corporate, and have movable substance of the cleere value of one hundred poundes, or els be learned in the lawes of this realme in and concerninge the same, that is to saie admitted in one of the foure principall Iuries of countrie for an utter barreller, shall forsaite forty poundes for every time that he shall attempte so to doo : the one halfe therof to be to our soueraigne lord the kinge, and the other halfe therof to the use of him or them that will sue therfore by action of dette bill plaint or information in any of the kinges courttes : in whiche action or suite no wager of law shall be admitted, nor any essoine or protection shal be allowed. And if any action of trespass or other suite shall happen to be attempted againe any person or persons for taking of any distresse or any other acte doing by auctorite of the commission, or by auctorite of any lawes or ordinaunces made by vertue of the saide commission, the defendante or defendantes in any suche action shall and may make answere consaunce or iustificacion for the taking of the same distresse, or other acte doing touching the premilles or any of them, alleging in suche answere consaunce or iustificacion, that the said distresse trespass or other acte, wherof the plaintiff complaineth, was done by auctorite of the commission of Sewers for lotte or taye assessed by the saide commission, or for suche other acte or cause, as the saide defendante did by auctorite of the same commission and according to the tenour purporte and effecte of this present acte made the .xxiii. yere of the reigne of our soueraigne lord the kinge Henry the eight without any expresseynge or rebetfall of any other matter or circumstance contained in this present acte, or any commission lawes statutes or ordinaunces therupon to be made, wherupon the plaintiffe shall be admitted to reply, that the defendante did take the said distresse or doo any other acte or trespass supposed in his declaration of his owne wronge without any suche cause alleged by the saide defendante, wherupon the issue in every suche action shall be toynd to be tried by verdict of twelve menne, and not otherwise, as is accustomed in other personall actions. And upon the triall of that issue the whole matter to be gyven on both parties in evidence according to the better thought of the same.

And

HENRI OCTAVI

And after such issue tried for the defendant or nonstate of the plaintiff after appearance, the same defendant to recover treble damages by reason of his wrongful execution in that behalf with his costs also in that parte suffered, and that to be assessed by the same iury, or iury to enquire of damages, as the cause shall require.

And it is also enacted, that every of the said commissioners shall have and perceiue four shillings for every day that they shall take payne in the execution of this commission of Sewers, and one clerke by them to be assigned, i. e. for every day, of the rates, taxes, lotties and wainies that shall be assessed or lottie by auctorite of the said commission, and to be levied and paid by their discretions. And that the said commissioners, or two of them shall have power and auctorite to limite and assigne of the same rates, taxes, lotties and wainies by their discretions, such reasonable summes of money to the said clerke for writinge of bookes and proces concerning the premises, and to the collectors expensours and such other as shall take paine in the due execution of the said commission, as by the discretions of the said commissioners or, vi. of them shall bee thought reasonable.

Provided alway that when so ever and as often as such Commission, as is afore limited, shall be made and directed to any person or persons for the reformation and amendement of or in any of the premises specified in the said commission within the fees liberties or possession of the duchie of Lancaster, that then such commissioners as shall execute any such Commission shall be alwayes named and appointed by the discretions of the lord Chancellor and lord Treasourer of Englande and the sayde two chief Justices of either bench, and the Chancellor of the sayde duchie for the time being, or thre of them, whereof the said lord Chancellor and the Chancellor of the duchie to be two. And that in every such case two commissions shall be awarded and made according to the tenour of the commission above exprested, one therof under the great seale of Englande, and the other under the seale of the same duchie, as before time hath ben accustomed, anything afore rehearsed in this present acte to the contrary hereof notwithstanding.

And it is further enacted, that the said commissions from time to time, as the case shall require, shall be had and obtained without any money or other charge to be paid for the seales or writinge of the same, onelike it be to the kinge. i. e. vi. d. for the seale of every commission, as hath be accustomed; and for the writinge and enrolling of any one commission. v. s. and not above.

And it is further enacted, that every commission to be made by auctorite of this acte shall endure a continue for the terme of thre yeres, next after the Tette of the commission. Nevertheless after any commission made and delivered out of the kinges court of chauncery, the kinges highnes shall

shall appoint at his pleasure by his letters of appointment, out of his
same court of Chancery, at any time discharge as well every such commis-
sion as every commissioner that shall be made or named by authority of
this acte. After which discharge the said commissioners shall have no
power nor auctoritie to procede in the execution of their commission, nor in
any thing by authority of this acte.

¶ Provided also, that such laws actes decrees and ordinances as
shall happen to be made by the said commissioners according to the tenor
of their commission, by authority of this acte, shall stand good and ef-
fectuall and be put in due execution so long time as their commission en-
dureth and no longer: Excepte the said laws and ordinances be made
and ingrossed in parchment, and certified under the seales of the said co-
mmissioners into the kinges court of Chancery and then the kinges royal
assent be had to the same: any thing contained in this present acte to the
contrarie herof notwithstanding.

¶ Provided also that when to ever and as often as such commission as is
above limited shall be made and directed to any person or persons for the
reformation and amendement of or in any of the premises specified in the
said commission within the fees liberties and possessions of the principa-
litie of Wales, the countie palatine of Chester, or within the fees liberties
and possessions of any other place, where there is libertie and iurisdiction
of countie palatine, that in every such case such commissions shall be a-
warded and made according to the tenor of the commission above ex-
pressed, one thereof under the great seale of Englande, and the other under the
sigill seale of the countie palatine in manner and forme as is above pro-
vided for the Duchie of Lancaster, any thing above recited in this present
acte to the contrarie notwithstanding.

¶ And it is provided and also enacted, that the royal assent limited to be
had unto the laws and ordinances to be made by the said commissioners,
as is above said, shall be certified into the saide court of Chancery under
the kinges priuie seale: And that there shall not any somme of money be
payde for the same priuie seale, but for the writing of the same certificat un-
der the said priuie seale shall be payde to the writer thereof. ii. s. and not above
nor no other nor greater somme for any thing touching or concerning the
same certificat under the same priuie seale.

¶ Provided also, that the chancellours and such other as shall have
the custodie of the seales of the saide principalltie of Wales or the countie
palatine of Chester, or within the fees liberties and possessions of any
other place, where there is libertie and iurisdiction of countie palatine,
vpon reasonable request, and vpon the sight of the commission under the
kinges greateseale of his Chancery, shall without delay make out an
other commission under the seale of the said countie palatine accordinge
to the tenor of the kinges commission to them shewed under his greateseale.

And

HENRICI OCTAVI.

And to those commissioners as shall be named by the lord Chancellor, lord Treasurer, and the two chief Justices, or by three of them, wherof the lord Chancellor to be one, excepte it be within the fees and liberties of the duchie of Lancaster, within whiche fees and liberties the commissioners shall be named and commissions made, as is aforesayd ordeyned by this acte, anie thyng contempned in the saide acte, or in any prouiso therevnto added and annexed to the contrarye thereof notwithstanding. This acte to endure for .xx. yeres.

In acte concerning before whom recognisances of dettes shalbe made, and the fourme of the obligation. vi.

Whereas as muche as the maires of the Stapull in dyuers places of this realme, where any Stapull is kepte, in the presence of the constables of the same Stapull before this tyme have and might lawfully take reconisance or knowlege for dettes, onely concerninge and touchinge the marchandise of the same Stapull, betwixte marchaunt and marchant of the same Stapull, according to diuers laudable estatutes and prouisions before this tyme had ordeyned and made. Whiche mayres and constables many and sundry tymes syns the makinge of the same statute have taken dyuers recognisances and knowleges of diuers of the kynges subiectes for dettes, surmisinge the same knowlege or recognisance to be made for suretie of payement of sommes of money for suche wares as were or ben boughte in the same Stapull: whereof trouthe the same reconisance doyd not in any wise touch or concerne the marchandise of the same, ne also the parties, that is to say the cognisor ne the cognisee, that did knowlege and take the same recognisances, were marchantes of the same Stapull: whiche recognisances and knowleges taken in fourme aforesayde are not onely clere contrarye to the trewe meaninge and intente of the same former estatutes, but also thereby dyuerse great and sundrie inconueniences damages and deceytes do daily ryse and growe to diuers of the subiectes of our soueraigne lord the king, by reason of the misusynge of the same. And for as muche as the kynges highnes of his most high wysdome perceiueith the misusynge and execution of the same to be contrary to the forme of the saide former estatutes, Therefore his pleasure is, that some trewe lawfull and reasonable bond for surety of payement of the saide dettes of his subiectes shall be made and deuised by trewe and iust meanes, whiche in it selfe may and shal purporte right and equite and also consonant to reason.

In consideration wherof, by challenge of the kinges highnes, his lordes spirituall and tempozall, and his commons in this present parliament assembled, and by auctorite of the same, it is enacted ordeyned and stablyshed, that from the first day of Aprill nexte comming the chiefe Justice

of

of the kynges bench and the chiefe Justice of the common place, whiche now be or at anye time hercafter shall be, and euery of them by him selfe, and in their absence out of the terme the maires of the Stapul at Westminster and the recorder of the cite of London for tyme beyng together by his or their discrecion shall haue full power and auctoritie to take recognisances or knowleges of curty of the kynges subiectes for the payement of debtes accordyng to such forme as here after ensueth.

¶ Nouerint vniuersi per present. me A.B. & D.C. armig. teneri & firmiter obligari Iohanni at Style in C. li. sterling. soluend. eidem Iohanni aut suo cert. attorney. hoc scriptum ostend. hered. vel execut. suis in tal. fest. &c. proxi. futur. post dat. presentium. Et si deficeret vel deficerimus in solutione debiti. predict.uolo & concedo, vel sic, Volumus & concedimus, quod tunc currat super me hered. & executores meos, vel super nos & quemlibet nostrum hered. & execut. nostros potius in statuto Stapule de debiti. pro marchandis in eadem emptis recuperand. ordinat. & prouis. Dat. tal. die Anno regni regis. &c.

¶ And that euery obligation that shall be made, as is afore saide, and knowleged before anye of the sayde chiefe Justices, or the sayde maires and recorder accordyng to this acte, shall be sealed with the seal of the partie or parties, that shall recognise or knowlege the same, and also with such seal as the kynges highnes shall ordeine and appointe for the same, and with the seal of one such of the said Justices, or with the seales of the said maires and recorder, & with his or their name or names subscribed, that so shall take the same recognisance or knowlege. And that euery of the said Justices, and the said maires and recorder shall haue the custodie of one such seal by the kynges highnes, to be appointed, with one lyke print scripture and facion, whiche shall generally remaine with them to the intent abouerethered.

¶ And further be it enacted by the auctorite afore saide, that such an honest and discrete person, as shall be assigned by the kynges highnes, or the sufficient deputie or deputies of the same person so to be assigned, shall make & write all such obligations, as shall be knowleged and recognised by auctorite of this acte, and shall cause the same obligations recognised & knowleged in forme as is aboue saide, to be entolled in two seuerall rolles indented, wherof one shall remaine with such of the said Justices or with the said maires and recorder, that so shall take the same recognisance in forme afore said, and the other rol with the writer thereof, appointed for the same. And that the said person by the kynges highnes to be appointed for makinge writinge and entolling such obligations, or his sufficient deputie or deputies shall be dwellinge or abidinge in the said cite of London, upon paine to forfeite for euery tyme that he and his deputie shall be absent by the space of two daies, ten poundes.

¶ And further it is enacted by auctorite afore said, that the said person so to be assigned by the kynges highnes to write make and enroll such obligations

HENRICI OCTAVI.

gacions of his sufficient deputie or deputies, at the request of the creditors their executours or administratours shall certifie suche obligations as shal be taken and recognised by auctoritie of this acte, into the kinges counte of Chancerie vnder the seale of the said person so to be appointed for writinge making & enrolling such obligations. And ther eueri pson & psons, to whom any suche obligation shalbe made knowleged & enrolled (as is aforesaide) their executours & administratours, & the executours & administratours of eueri of them for defaute of paiement of the dettes cōteined in suche obligations shal haue in eueri point degree & condicion agens the saide recognisoz and recognisozs and eueri of them, their heires executours and administratours, & the heires executours and administratours of eueri of them like proces execution comoditie and advantage in eueri behalfe, as hath ben vled and accustomed before this time to be had done or made of and vpon any obligation of the statute of the Stapull, and vnder suche maner and fourme as is for the same statute of the Stapull provided, payenge for suche proces and execution to be had suche lyke fees as is accustomed for proces and execution to be had vpon obligations of the same statute of the Stapull and not aboue. And that eueri suche person and persones that shal be bounden or otherwise greued by vertue of aine obligation to be made by auctoritie of this acte, shal haue their lyke remedie by Audita querela, and all other remedies in the lawe, that they mought haue had, in case they had ben bounden by obligation of the statute of the Stapull. And that eueri suche person and persones that shal haue proces for execution to be had by reason of any suche obligation to be made and knowleged accordyng to this acte, shal paie to the kinges highnes, his heires or liccesours at the tyme of ensealynge of the proces for execution to be had, one halypenny for eueri pounce that shal be contained in the obligation, wherof execution shal be required and not aboue. And that eueri suche person and persones that shal happen to haue any execution of any lathes tenementes or hereditamentes by reason of aine such obligations to be made and knowleged (as is aboue saide) their executours administratours or assignes, and the executours administratours and assignes of eueri of them, if they or aine of them ben put out or disseyed, shal haue lyke remedie in eueri point & condicion as persons hauing execution in and vpon any statute of the Stapull, after execution to them had, may or might haue by vertue of the said writinge obligatorie of the statute of the Stapull and execution of the same. And further be it enacted by the auctoritie aforesaide, that eueri of the layde Iudices and the layde mayre and recorder, before whom any suche obligations shal be recognised, shal take for euerie knowlege of euerie one suche recognisance. iii. s. iiii. d. and not aboue: And the clerke that shal write make and enroll the same obligations. iii. s. iiii. d. And for the Certificat of euerie one suche obligation. xx. d. And if any of the layde Iudices, mayre, recorder, or clerke take of any of the kinges subiectes

tes boue the somme or sommes to them limited by this estatute, that than the saide Justices maire recorder or clerke, that so shal take contrary to the forme aforesaid, shall forfeit for every time so offending fourtie poundes.

¶ And further it is enacted by the auctoritie aforesaide, that from the said firste date of Apryll no maire or constable of the Stapull, for the payment of anie somme or sommes of money take any knowlege or recognisance of the saide statute of the Stapull, of any of the kinges subiectes, vppon payne to forfeite for every time so offending. xl. li. The one moitie of all and singular the saide penalties to be to the kinges highnes, and the other moitie to the partie that will sue for the same. For the recouerie wherof the partie that will pursue shall haue his remedie by informacion action of dette bylle or plainte in anie of the kinges courttes: in whiche no essoine protection nor wager of lawe shalbe admitted.

¶ Provided also, that this acte nor any thinge therein conteyned be in any wise prejudiciall or hurtfull to anie maire and constables of the Stapull for anie bonde or writinge of the statute of the Stapull to be taken or received betwene marchantes being free of the same Stapull, for marchandise of the same Stapull betwene them lawfully bought and solde.

¶ Provided also and be it enacted by thaurtoritie aforesaide, that all recognisances befoze this tyme taken befoze the maire and constables of any of the said Stapulls, wherof the sommes now be not paid or otherwise contented lawfully auoyded or discharged by the lawe, shall be as good and effectuell as though they had ben verily made for marchandise of the same Stapull and betwene marchant and marchant of the same Stapull and as they shuld haue bene, if this acte had neuer ben had ne made.

¶ An acte that the statutes made for the maintenance of the hautes of this realme shall stand in full strength, and howe Calcopne and stanche wynes shall be brought in, and the same and other wynes solde. vii.

Here for the maintenance and good continuance of the hautes of this realme of Englande it was ordeyned and enacted by a statute made in the .v. yere of the reygne of the right noble kyng Richard the seconde, that none of the kinges liege people shuld shyppe marchandise in anie other shyppe than in an englishe shyppe, vppon payne of forfeiture of the saide marchandise so shipped. And after that by an other statute made in the .vi. yere of the saide noble kyng it was enacted, that for defaute of englishe shippes every man might ship their marchandise in strangers shippes. And after that at a parliament holden at westm, in the .iiii. yere of the late noble kyng of famous memorie kyng Henry the. vii. it was ordeyned and enacted, that no person shulde carie or bringe any wynes of Calcopne or Cupon or Coloos wde into Englands wales

HENRICI OCTAVI.

wailes Irelande Calice, or the marches therof, or Barwike, but all only in shippes of England Wales Ireland Calice or the marches therof or Barwike: And that the maister & mariners of the same shippes for the moste part of them shuld be of the same countreis, vpon peyne of forfaiture of the said wyne & Ode, as by the said good estatutes moze at large is expcelled. And not withstandinge the saide good estatutes, yet neuerthelesse the Ruine of this realme, and the multitude of the shippes of the same, whiche tofore this time hath bene not onely a great defense & suretie to this realme of England in time of warre, but also a high commoditie to al the subiectes of the same for traspozting and conueyance of marchandise in and from this realme, is now meruailously decayed and empayred: and by occasion therof a greatte multitude of the kinges liege people, whiche were maisters and mariners of shippes, and by the exercise therof they their wyues and childzen had their livinge, be nowe mpynyshed and empouers yllshed in suche wise, that within fewe yeres there shall be fewe englyshe men that shall be experte in the seas, to the great peryll of this realme and decaye of the people of the same, if remedie be not prouided in this behalfe. In consideration wherof the kinges moste royall maiestie, of his moste excellent goodnes, hauinge tender respecte to the reformation of the premisses, is contented and pleased, that it be enacted by his highnes, and the lordes spirituall and tempozall, and the commons in this pzelente parlyament assembled, and by auctoritie of the same, that the said estatutes and every thinge in them containede shall stonde in their full strength force and effecte, so that from hencefoorth no person shall attempte to do contrarie to the tenours of anie of the saide estatutes, vppon the peynes conteyned in the same.

And it is further enacted by auctoritie aforesaide, that no maner of person or persons shall discharge and lay on lande out of anie ship or shippes, or other vessel or vessels any wynes of Gascopne or Guyon, or any maner of french wynes at any hauen port creeke or other place within this realme of Englande Irelande wailes or the marches of the same at anie time here after betwene the feastes of saint Michaell the archangell & the purification of our lady, vpon peyne of forfaiture of the saide wynes so brought in and discharged & leyde on lande at anie time hereafter betwene the said feastes contrary to this acte. The one halfe of whiche forfaiture to be to the kinge our soueraigne lord, & the other halfe therof to such of the kings subiects as shall seale or sue for the same by action of detinuc or det after the rate of the value therof by originall writt bill plainte or informacion in anie of the kynges courtes. In which actions and lutes the defendaunt shal not be admitted to wage his lawe, nor any protection or essoin shalbe allowed.

And it is further enacted by auctoritie aforesaid, that no person after the feast of the purification of our lady, whiche shall be in the yere of our lord god. M. D. xxxii. shall sell by retayle any of the saide wynes aboue. viii. d.

the gallon, that is to say a peny the pinte, two pence the quarte, foure pence the pottell, and eyght pence the galon, vpon paine of forfaiture for euerie pynt to be solde aboue the saide price. iiii. d. and for euerie quarte solde aboue the saide price. viii. d. and for euery pottell so solde aboue the said price xii. d. and for euery galon so solde aboue the saide price afoze limited. ii. s. And that no malmeseis Romeneis sackes nor other swete wyne, after the saide feast shalbe rateiled aboue. xii. d. the galon. vi. d. pottell. iii. d. the quarte and. i. d. ob. the pinte, vpon paine to lose and forfait. iii. s. iiii. d. for euery gallon. xx. d. for euery pottell. xii. d. for euery quart, and vi. d. for euery pinte, that shall be solde contrarie to this acte.

¶ Provided alwaie that the lord Chancellor, lord Treasurer, lord president of the kinges moste honorable counsaile, lord priuie seale, & the ii. chiefe Justices of either benche, or. v. iiii. or iii. of them, shall haue power and auctoritie by their discreacions to set the prices of all kinde of wyne, that is to saye of the prices of the butte tonne pype hoggeshead poncheon terts barrrell or rondled whan it shall be solde in grosse, so that they or iii. of them cause the prices by them sette to be witten, and open proclamation therof to be made in the kings courte of Chancery openly in the terme tyme, or elles in the citie borow or towne where anie suche wyne shall be solde in grosse, any thinge contained in this acte to the contrary hereof not withstandinge.

¶ And it is further enacted, that if anie personne or persones, after suche prices be sette and put in witinge by the saide lord Chancellor, lord Treasurer, lord president of the kinges moste honorable counsaile, lord priuie seale, and the two chiefe Justices, or by. v. iiii. or iii. of them; and proclamation therof had as is aforesaide, do sell anie wyne in grosse by anie fraud or couine contrarie to the said prices so set and proclaimed, that than euery offender in that behalfe shal lose and forfait for euery vessell by them solde in grosse contrarie to the saide prices. xl. s. The one halfe of all which forfeitures to be to the kinge our soueraigne lord, and the other halfe thereof, if it be within any citie borow or towne corporate, to be to the maires shireffes bailiffes or other head rulers of suche citie borowes or townes corporate: and if it be without citie borow or towne corporate, than to be to such of the kinges subiectes as wyll sue for the same. And that euery such forfeiture shall be recovered by originall writ of dette byll playnt or information. In which suite no wager of lawe shalbe admitted nor any protection or esoyne allowed.

¶ And it is also enacted, that the Justices of peace in euery shire of this presente realme, and all maires shireffes bayliffes and other head officers in citie borowes and townes corporate, that is to saye eny of them within the limites of their commissions and auctorities, as well within franchises as without, shall haue power and auctoritie to examine here inquire and determine the defautes of suche as shall attempte to sell anie wyne

HENRICI OCTAVI.

in grosse or by retaille contrarie to this acte, And to pnnish the offenders by imprisonment or otherwise by their discretions.

Provided alwaie that if it fortune any ship or shippes, vessell, or vessels laded with the saide wines of Galcoine, or Guion or frenche wynges at any time hereafter to come to any porte, creke or haven within this realme of Englande, Ireland, wales, or the marches of the same betwene the saide feastes of saint Michaele the archangell, and the purification of our lady, and than the vessels containing the said wines, or the shippe or other vessell or vessels bearing the same, happen to fall in leke, that than it shall be lawfull to the owner or bringers therof, at all times betwene the saide feastes, to discharge the said wines out of any such ship vessel or vessels for the saving of them. So that the said owner or owners of the said wines, so discharging the same, make no sale or other utterance of them at any time betwene the saide feast of saint Michael, and the said feast of the purification of our lady, any thinge contained in this acte to the contrarie heretofore notwithstanding.

And where as in the parliament holden at westm in the firste yere of the reigne of kynge Richard the thirde, amonge other thinges it was established, ordeined and enacted, that everie tonne of wine shoulde containe. C. li. galons, every butte of malmesie shoulde containe. cxxvi. galons every pipe. cxxvi. galons, every tertian or poncheon. lxxxiij. galons, every hoggeshead. lxviij. galons, every terte. xli. galons, and every barrrell. xxxi. galons and di, and every rondlet. xvij. galons and di: And that no vessell should be put to sale till it were gauged, vpon paine of forfaiture, as by the same estatute it doth appere moze at large. Nevertheless greete diserte is daily vsed in selling of wines and oyle in caskes and vessels not bearynge the contentes above limited to the great losse of the kinges pooze subiectes. For remedie wherof be it enacted by the auctoritie of this present parliament, that the saide estatute made in the first yere of kinge Richard the thirde, and all other estatutes heretofore made for true gauging and measures of wines, oyles, honie, or any other liquors, whiche estatutes before this time be not repelled nor expired, shall stande in their strength and vertue and be put in due execution accordyng to their tenors and effectes in every behalfe.

And ouer that be it enacted by auctoritie of this present parliament, that every gaugeour within this realme shall truly and effectually within the limittes of his office gauge all the saide tonnes, buttes, pipes, tertres, poncheons, tertians, barrels, hoggesheades and rondlettes, and shall plainly & truly make vpon the head of every suche vessell the content of the same, vpon paine to forfeite to the partie, to whose vse the wine, oyle, or other thinge therein beinge shall be solde, foure times the value of that that the vessell so marked shall lacke of his lawfull content above wrytten. The same forfaiture to be recouered ouer and besides the costes of the suite by the

ANNO XXIII.

the kinges originall writte, or by bill in any of the kinges courtes of his common lawes, or in any competente courte hauing iurisdiction in the place, where that offence shall be committed, by action or bill of dette, in whiche action or sute none essone, protection, nor wager of lawe shall be accepted, admitted, or allowed to the defendant or defendantes. And that euery marchant or other person sellinge the saide wine oyle or other thinge contened in the saide vessel marked, shall allowe of the price thereof to the bier of the same for euery quantitie of wine, oyle, or other thing contened in the saide marked vessels, the full value of the lacke thereof, beinge by reason of defeaute of full gauge of the vessel, marked, or of defeaute of fillinge the same vessel or by reason of defeaute of any of them after the rate of the hole price of the wine, oyle, or other thinge so beinge solde by that vessel marked. And that vpon peine of forfaiture to the same bier the double value of the same vessel and wine, oyle or other thing therein beinge solde, the same forfaiture to be recouered to gether with the costes of the sute in maner and forme as the forfaiture last before written is limited to be recouered. This acte to continue vnto the laste day of the next parliament.

CAn acte concerning the amendinge and maintenance of the hauens and portes of **Plimmouth, Dartmouth, Teingmouth, Falmouth and Fowey** in the counties of **Deuonshire and Coznewall.** *viii.*

Fleuously sheweth and complaineth vnto the kinge our so-
ueraigne lord, and to the lordes spirituall and temporall,
and the commons in this present parliament assembled, the
inhabitauntes of the towne and portes of **Plimmouth**
Dartmouth and **Teingmouth** in the countie of **Deuon-**
shire, Falmouth and **Fowey** in the countie of **Coznewell,**
that where the saide portes haue ben in time past the principall and most
comodious hauens and portes within this realme for the rode suertie and
preseruacion of shippes resorting from all places of the worlde as well in
perill of stormes as otherwise. For where before this time all maner
of shippes beinge vnder the portage of **viii. C. tonnes,** resortinge vnto any
of the saide portes or haues might at the lowe water easily enter in-
to the same, and there lie in suertie what winde or tempest so euer did
blowe. By reason wherof not onely a greate multitude of shippes, as
well of this realme as of other regions and countiees before this time
haue ben preserued and saued, but also in time of warre the saide hauens
and portes haue ben the greatest fortification and defence of that part of
this realme and the speciall preseruacion of the greate parte of the **State**
of the same: whiche saide portes and hauens been at this present time in
maner

HENRICI OCTAVI.

maner bitterly decaye and distroide by meane of a certayne tyme woorkes, called **Streame woorkes**, vled by certayne persons with in the laide countie, whiche persons moze regardinge their owne priuate lucre than the common welth and suretie of this realme, haue by woorkinge of the laide **Streame woorkes** digginge, serching and washing of the same nere vnto the freshe riuers, waters and lowe places, descending and comminge out of the lande towardes and in to the laide portes and hauens to the sea, conueied by the force of the laide freshe riuers a metuailous great quantitee of lande, grauell, stone robell, earth, slime, and filthe in the laide portes and hauens, and haue so filled and choked the same, that where before this tyme a shippe of the portage of. viii. C. as is aforesaide, might haue easely entred at a lowe water into the same, now a shippe of a hundred can scarcely entre at the halfe floudde, to the decay and bitter destruction of the laide hauens and portes, and also to the ruine and bitter vndoing of al the good townes within the laide counties of Deuonshire and Cornewall, if remedie be not in that case speedilye provided. For refozmacion wherof be it enacted by the kinge our soueraigne lordes, the lordes spirituall and temporall, and the commons in this present parliament assembled, and by auctoritie of the same, that no person or persons hereafter shall labour or worke, or cause to be labored or wrought in any maner of tyme woorkes called **Streame woorkes**, within the laide counties of Deuonshire or Cornewall nigh to any of the laide freshe waters, riuers, or lowe places descending or hauinge course vnto the laide hauens or portes or any of them, nor shall labour, digge, or walthe any tyme in any of the laide tyme woorkes called **Streame woorkes**, onlesse the laide digger, owner, or walther, shall make or cause to be made sufficient hatches and ties in the ende of their huddels and cordes, and therein put and lay or cause to be put and layde all the lande stones, grauell and robell digged about the inserching finding and washing of the laide tyme, there to be wholly and wherlie keppe, by the laide hatches and ties out and from the laide freshe riuers or water courses or any of them, so that the laide lande, stones, grauell, and robell, ne any parte thereof be for lacke of suche hatches or ties conueied into the laide portes and hauens or any of them, vpon paine to forfeite for euery tyme, that any owner or tinner shall digge or walthe, or cause to be digged or walshed any tyme contrarie to the fourme aforesaide, ten poundes.

The one halfe thereof to be to the vse of our soueraigne lord the kinge, and the other halfe thereof to be to any of the inhabitants of the laide portes townes or hauens that will sue for the same in any of the kinges courtes, by originall writ, bill, plaint, infozmacion or otherwise, wherein the defendant shall not be admitted to wage his lawe, ne any protection or essoine shall be allowable.

And be it further enacted by auctoritie aforesaide, that if any person or persons shall happen to be wedd accused, indicted, imprisoned, amerced, con-

Dempned

demprned or otherwise vexed or troubled in his person landes, tynnes, goods or cattels by any of the ministers or officers of any the kinges courttes of Stannerie, or by any other person or persons for pursuyng or attempting any suite or action according to this estatute, againe suche person or persons as shall offende contrarie to the fourme aforesaide, that than all suche suites, accusementes, enditementes, imprisonmentes actions, condemnacions, fines, amerciamentes, and cuery other acte or actes to be done in any of the saide courttes of Stannery, or els where, by any person or persons againe any person or persons for linge or attemptinge any suites or actions by vertue of this estatute, shall be utterly void and of none effecte in the lawe. And that the parties sued, ended, accused, imprisoned, or otherwise greued or molested, for pursuyng againe any person or persons offending this estatute, shall haue his action and remedie grounded vpon this statute by originall writte, bill, plainte, information, or otherwise in any of the kinges courttes, againe suche as shall procure or attempte to vex, trouble, or otherwise molest any such person or persons for linge or pursuing for the forfeitures aforesaide: and shall recouer treble damages in that behalfe. And the partie defendant shall not be admitted to wage his lawe, ne any protection essone nor priuilege that be to him allowable. And if it shall happen any person or persons for pursuyng any suite or action vpon this estatute or by occasion of the same hereafter to be imprisoned by any manner person or persons, beyng officers or ministers of the Stannerie, their deputies or substitutes, that than euery of the Iustices of peace within any of the countiees aforesaide, wherein the saide prisoner shall happen to be committed to prison vpon credible information, therof taking swerte by his discrecion for apparance of such prisoner at the nexte generall sessions of peace, shall haue power and auctoritie as well to directe his warrant to the gailour or keeper of the prison, as to any other person or persons, to whom the said prisoner shall be committed vnto, commaunding him or them vpon paine of forfeiture of. xl. li. to deliuer and put at large the saide prisoner or prisoners: whiche if he refuse so to do, than euery such offender shall lose and forfeite the saide. xl. li. the one halfe of whiche forfeiture to be to the vse of oure soueraigne lord the kinge, and the other halfe to him that is greued by reason of suche imprisonment, to be recouered in manner and fourme aforesaid: And the defendant in any action or suite for the same shall not wage his lawe, ne haue any essone or protection allowed. And if it shall appere vpon the apparance of suche prisoner at the quarter sessions by examination of the Iustices of peace there beinge, that he was imprisoned contrary to the forme of this estatute, that than he shall be forthwith dismissed and thereby discharged. And if he were lawfully imprisoned, for any other iuste cause, than to be remanded to prison by the discrecion of the saide Iustices.

provided

HENRIC OCTAVI.

Provided alway that this acte or any thing therein contained be not in any wise prejudiciall or hurtfull to any of the officers of the Stannery, ne to any of their lawfull liberties, privileges, usages, labours, or customes, savinge onely in the cases and provisions contained and limited within this present acte, whiche shall alway be put in execution accordinge to the tenor of this acte, any usage custome, privilege, ordinance or libertie to the contrarie therof notwithstanding.

And it is enacted, that this acte shall begynne to take effecte from the feast of saint Michaell the archangell next comming, and not before.

In this acte that no person shall be cited out the diocese, where he or she dwelleth, except in certame cases.



Where great numbze of the kinges subiectes, as well men, wives, servants, as other the kinges subiectes dwelling in divers diocesses of this realme of England and of Wales, heretofore have bene at many times called by Citacions & other procesles compulsiaries to appere in the arches audience & other high courtes of the archbishops of this realme, farre from and out of the diocese, where suche men, wives, servants, & other the kinges subiectes ben inhabitant & dwelling, & many times to answer to summed and seined causes and suites of defamacion, withholding of robes and such other like causes and matters, whiche have bene sued moze for malice and for veracion, than for any iuste cause of suite. And where certificat hath ben made by the somoner, apparitour, or anye such light literat person that the partie against whome anye suche Citacion hath ben awarded, hath be cited or somoned, and there vpon the same partie so certified to be cited or somoned, hath not appered accordinge to the certificat, the same partie therfore hath ben excommunicated, or at the least suspended from all diuine service; and ther vpon before that he or she coude be absolved, hath be compelled not onely to paye the fees of the counte, wher vnto he or she was so called by citation or other processe, amounting to the somme of .ii. s. or .xx. d. at the least; but also to paye to the somoner apparitour or other light literat person, by whome he or she was so certified to be somoned, for every mile beynge distant from the place where he or she than dwelled vnto the same counte, wher vnto he or she was so cited somoned to appere, two pence, to the great occasion of impoverishment of the kinges subiectes, and to the great occasion of misbehauour and mislivinge of wives, women and servants, and to the great impairement & diminucion of their good names and honesties. Be it therfore enacted by the kinge our soueraigne lord, with the assente of the lordes spirituall and tempozall, and the commons in this presente parliament assembled, and by auctorite of the same, that no maner person

shal

shall be from henceforth cited or somoned or otherwise called to appere by
him selfe or her selfe or by any procurator before any ordinarie, arche-
deacon, commissarie, officiall or any other iudge spirituall out of the
diocese or peculiar iurisdiction, where the person, whiche shall be cited
somoned or otherwise (as is abovesaide) called, shall be inhabitinge and
dwelling at the time of awarding or goinge forth of the same citation or
somons: except that it shall be for in or upon any of the cases or causes
hereafter writtten: that is to say for any spirituall offence or cause commit-
ted or done, or omitted, followed or neglected to be done contrary to right
or durie by the bishop, archdeacon commissarie, officiall or other person ha-
ving spirituall iurisdiction, or being a spirituall iudge, or by any other per-
son or persons within the dioces or other iurisdiction, wherunto he or
she shall be cited, or otherwise lawfully called to appere and answer. And
excepte also it shall be by or upon matter or cause of appele, or for other law-
full cause, wherin any partie shall finde him selfe or her selfe greued or
wronged by the ordinarie, iudge, or iudges of the diocese or iurisdiction,
or by any of his substitutes officers or ministers after the matter or cause
there firste commenled and begonne, to be referred unto the archbishop
or bishop, or any other having peculiar iurisdiction, within whose pro-
vince the diocese or place peculiar is: or in case that the bishop or other im-
mediate iudge or ordinarie dare not nor will not convene the parties to be
sued before him: or in case that the bishop of the diocese, or the iudge of
the place, within whose iurisdiction or before whom the sute by this acte
should be commenled and prosecuted be partie directly or indirectly to the
matter or cause of the same sute: or in case that any bishop, or any inferi-
our iudge having vnder him iurisdiction in his owne right and title, or
by commission make request or instance to the archbishoppe, bishoppe
or other superior, ordinarie or iudge, to take, treat, examine, or determine
the matter before him or his substitute. And that to be done in cases one-
lie where the lawe Civile or Canon doth asserue, execution of suche re-
quest or instance of iurisdiction to be lawfull or tollerable: upon paine of
forfeiture to euery person by any ordinarie commissarie, officiall, or sub-
stitute by vertue of his office, or at the sute of any personne to be cited or
otherwise somoned or called contrary to this acte, of double damages and
costes for the vexation in that behalle susteyned, to be recovered against
any suche ordinarie commissarie, archdeacon, officiall, or other iudge, as
shall awarde or make proces, or otherwise attempte or procure to doo a-
ny thing contrary to this acte, by action of det, or action upon the case,
according to the course of the commonlawe of this realme in any of the
kinges high courtes, or in any other competente temporall court of re-
cord by originall writte of dette bills or plainte. In whiche action no
protection other than suche as shall be made vnder the kinges greateseale,
and signed with his signe manuell, shall be allowed, neither any wages
of

HENRI OCTAVI.

of slave nor effeine shall be admitted nor sold upon paine of forfeiture
for ever person so comendited or otherwise called (as is above said) to
answer before any spiritual judge out of the diocese or other jurisdiction
where the same personne so dwelleth, or is resident or abiding, iteane
pound sterling. The one halfe the to be to the kinge our soveraigne
lord; and the other halfe to any person that will sue for the same in any
of the kinges said courts, or in any other the said temporall courts;
by writt of information byll or plainte. And in which action no protection
shall be allowed; nor wages of slave nor effeine shall be admitted. And it is
enacted alwaies that it shall be lefull to every archbishoppe of this
realme to call by writt and summon any person or persons inhabiting or dwell-
ing in any bishopps diocesse within his province for causes of heresie; if
the bishop or other ordinarie immediate therunto consente; or if that the
same bishop or other immediate ordinarie or judge do not this due diligence
in the execution of the same.

It is provided also that this acte may not extend in any wise to the person
of the moste reverend father in god the archbishop of Canterbury,
or any of his successours or of for callinge any person or persons out of the
diocese where he or they be inhabiting dwelling or resident for probate of
any testament or testaments, any thing in this acte conteyned to the con-
trary notwithstanding.

And be it further enacted by auctorite aforesaid, that no archbishoppe
nor bishop ordinarie officiall commissarie or any other substitute or min-
ister of any of the sayde archbishopps bishopps archdeacons or other ha-
vinge any spiritual jurisdiction, at any time from the feast of Easter
next commynge shall take, receive, take, or receive of any of the kinges
subiectes any summe or summes of money for the feale of any citation, af-
ter the said feast to be awarded or appointed, than onely three pence ster-
ling, upon the peines and penalties before limited, contained & expressed
in this present acte, to be in lyke fourme recovered as is aforesaid.

It is provided alwaies that this acte be not in any wise but full of preiudy-
ciall to the archbishop of yorke; nor to his successours; or for or concer-
ninge probate of testaments within his province and jurisdiction by rea-
son of any prerogative, anye thinge in this acte to the contrary therof not
withstanding.

It is enacted concerninge feoffementes and assurance of lan-
des & tenementes made to the use of any
parsh church, chapell, or such lyke. Cap. x.

Vhereby reason of feoffementes bynes recoveries & other statutes &
assurances made of truste of maners landes tenementes and heredy-
tamentes

tamentes to the use of parishes church chappels churchwardens Guildes
 fraternities communalles companies or brotherhoodes erected and made
 of deuotion, or by common assent of the people without any incorporation,
 and also by reason of feoffmentes fines recoveries wille and other actes
 made to any use or purpose, or to the use and intents to have shutes per-
 ppetuall or continuall service of any person or persons, or for any other use or
 purpose founded on the lands and profits of the manors and lands and other
 hereditamentes; wherof such feoffmentes fines recoveries wille and o-
 ther actes bene made; or that the said children recoveries or other per-
 sons and their heirs thereof used; shall have and receive and receive or
 cause or suffer to be taken levied and percieve and receive and receive
 profits thereof, and the same to dispose pay or otherwise or other use employ
 or suffer or cause to be disposed pay or otherwise or other use employ
 the use; intentes or purposes as bene above specified; or to any other like
 use or intentes: there groweth and issueth to the kynge our soveraigne
 lord; and to other lordes and subjects of the same; the same like losses
 and inconveniencies; and is as much prejudiciall to them, as to he and is
 in case where lands be aliened into moztmaine: & be it therfore enacted
 by the kynge our soveraigne lord; the lordes spiritual and tempozall, and
 the commons in this present parliament assembled, and by auctorite of
 the same, that all and everie such use intentes and purposes of what
 nature or qualite they shall be called; that shall be devised coun-
 ted made declared or in any wise or depned after the firste daie of Marche
 in the first yere of the reigne of our soveraigne lord kynge Henry the. viii.
 by any lessee recoverer or comiler or by any other person or persons; to whose
 use and such lessee recoverer or comiler shall be sealed of any manours
 landes tenementes or hereditamentes, or of thissines revenues and profits
 of them or any of them, shall be utterly void and of no strength betwixt
 effecte in the lawe; and it is further enacted, that if any person or persons
 be devised aliover that it shall be lawful to every persone beinge sealed
 of any manours landes tenementes or hereditamentes to his owne pro-
 pze use, or havinge lessee recoverer or comiler to his use, to make or
 depne or deuple, or cause to be made or depned or devised any of the use in-
 tentes or purposes above specified in such maner as they maye have
 done afore the makinge of this acte, and as if this acte had never be
 made: So that none such use intentes or purposes to be made or
 depned or devised after the sayde fyfthe day of Marche, be not in any wise
 made or depned devised, or appointed to endure continue or abyde by any
 crafte colour termes sentences clauses wordes or other meanes, above the
 terme of .xx. yeres nexte after the fyfthe makinge and begynning of any
 such use intentes or purposes.

And it is further enacted, that if any person or persones in defaulte of
 this estatute bynde or depne anye theyr heires or successours or any other
 person

HENRIC OCTAVI.

persons or persons, that they shall suffer such blasphemous or purposes to endure and continue contrary to this act, upon paines or penalties of losses of any other landes, tenementes or hereditamentes, or of any other thinge or thinges, or be attempte or deule by any colour craftie or meanes one thinge or thinges to make anye such blasphemous or purposes to be declared, contrary to the true meaninge of this act, to continue or abide for any longer time or season than is above limited for the same, that than everie such paine penaltye craftie colour and everie other thinge and thinges, of what kinden soever or qualite soever it be, that shall be so made or doyned or devided in defiance of this act, shall be void, to have in the lawe to all intentes. And that this statute shall be so interpreted and expounded as beneficially as maye be to the destruction and better avoiding of such blasphemous and purposes therein above remembred, and of all other like blasphemous and intentes in herwise than shalbe after such manner as is afore by this present act provided.

And provided also that in such cities and townes corporate, where by their auncient customes they have good and lawfull auctorities to devise laws and ordinances for the landes, tenementes or hereditamentes within the same cities or townes corporate, that this act shall not be in any wise prejudiciall or hurtfull to any such ordinance.

And provided also that this act nor any thinge therein conteyned shall extend or be in any wise prejudiciall to hinder or empage anye such ordinances, devises or declarations of blasphemous, as shall hereafter be made and declared in writinge by the executors of the testaments and laste wylles of Robert Jannis and John Terey, late Aldermen of the cite of London, now deceased, or by the executors or the administrators of the executors of either of them, of any landes, tenementes or hereditamentes, not amountinge in the holl aboute the clere yerely value of xl. li. to be employde and converted to and for the discharge of Colles and Customes within the said cite, and at the gates of the same, for the discharge of poore people within the same cite of Taxes and Collages hereafter to be assessed and levied, and for the clearyng of the streets of the same cite, or for anye of the same good purposes, accordinge to the trewe intentes and meanings of the said laste wylles and testaments, and of either of them: so that the same ordinances, devises and declarations be had made and certified in writinge into the kinges court of Chancery within two yeris next ensuyng the feate of Easter next cumminge.

An acte concerninge byelinge of pyson
by clerkes continue.

Vhere divers persons being convicted of murder or felonye, having the privilege of their clergy, and delivered to the ordinaries, after wardes

willfully breake the prisons of the ordinaries and escape their bonds, buying
and contrivinge great horrible and detestable offences; and so by this to
suche willfull breakinge of prisons of ordinaries by clerkes convicted hath not
bene provided any great penaltie; whereby they should stand in dread of
dourage of the same.

Be it therefore enacted by authority of this present
parliament, that any clerke convicted bringe in prison of any ordinarie,
willfully breake the said prison and escape his bonds out of the same, that he
every such breakinge of prison and escape shall be from henceforth deemed
and adjudged felonie, and the offender therein shall have and suffer the
prine of death and penaltie, and losse of his landes and goodes, as for
other felonies is accustomed by the lawes of this realme; and shall not in
anywise be admitted to have the privilege or benefite of his clergy, nor
enjoye any saintuarie for the same.

And it is enacted, that if any such offender be within his lordships, that
is to saye of the orders of subdeacon, deacon, or presbyter, that after he
is convicted of the premises he shall be deposed of the ordinarie, there to
remain without any purgacion.

And it is enacted, that it shall be at the libertie of the ordinarie to dis-
grade any such offender after he is founde guilty and deposed to him,
as a clerke convicted, and sende him before the kinge in his bench with
lecters to witness the said disgradinge, and there upon the Justices of
the kinges bench, havinge the recorde of his conviction, shall have po-
wer and authority to give judgement againe whether such offender being
convicted and disgraded, that shall suffer death, like as they mighte doe
in case the same offender had bene a lay man; and aremed and founde guilty
asfoze them of the said offence, the degradinge of such offender asfoze to
the ordinarie notwithstandinge.

An acte for takinge exactions upon the pathes



Here the kynges subiectes passinge upon the river
and water of Severne, have byed tyme out of wynde
to have and be a certayne path of a foote and a halfe
brode on every syde of the sayde river for drawinge
up by lynes or ropes their trouges barges, botes and
other vessels passinge or repassinge on the saide river
of Severne with wyne or anye other marchaundise,
without any imposition taxe or tol to be demaunded of them that so shulde
carie wyne in any of the said vessels for the saide passinge and drawinge
in the said pathes accustomed, tyll nowe of late certayne covetous per-
sons have perturbed and interrupted manie of the kynges subiectes, in
passing and drawinge by their vessels in the saide pathes, takinge of them
fynes

HENRIK HOCTAVI.

fynges and Daughters and Botels of Wyne, and yre baptyſme to take, to the
diſtourbaunce and loſſe to manye of the Kinges ſubiettes.

Whe it therfoze enacted by the kinge our soueraigne lord, and the lordes spirituall and temporall, and the commons in this present parliament assembled, that no personne or personnes intrude by anye of like lette or otharwile anye personne or personnes pallinge or repallinge in and upon anye of the same pathes accustomes, nor alle apertayre or wayes nor anye toll called by aught, or bottell of wyne, or anye other tax or imposition of anye of the kinges subiectes there goinge in the same pathes accustomes, upon anye type or of the tyner of Sturche there buynd or buyndinge their bores throughes by benefis, upon paine to be paid to euery tyme that he or they so shall intrude any of the kinges subiectes, or anye, that anye such imposition, by what name so euery it be called. And the our said therof to be to the kinge our soueraigne lord, and the other halfe to the parties grieved, that wyl lue in the same by beitt playnt infozmacion or otherwise, in the which there no effoyne waight of lawe nor protection shall be allowed.

¶ I have the same in mine booke, and to lines, with the
bedittie, and to the same, that passe
in all of mine booke. p. 11

Herewith sheweth in manner and folowing in this
booke and somer copysate within the same
buildings intended to proceed in the behalfe of the
commonwealthe, very often times desired and desired
of the people of this shire, that the great honor and
reputation of the shire be maintained by the great
parliament, that such persons and persons being the largest natural
subjects of the shire, which either by the name of a citizen or of a freeman or any
other name or the name and by the liberties and privileges of any free
borough or town or parsonage, where he dwelleth and maketh his abode,
bringeth forth in movable goods and chattels to the value of a
pound, he sheweth to the admasters in this shire and sheweth
in every session and year of the shire to be kept and holden shal be
the liberties of such cities boroughs and towns as shal be in the shire
no frehold, any part of the shire or any part of the shire to the contrary of
the shire of London.

[illegible]

C 1920ces of outlary to lve in actions of anno. b. R. #ans enge
in couenant and annuile. rule of one vinnuatic

Has as much as there is great delays in actions of trespass brought upon the statute of king Richard the second, made in the. v. yere of his reigne, agent the that make entrees in to any landes or tenementes, where their entre is not poven by the law, and also in actions of annuities a actions of coupe haunt, by cause ther lieth no proces of outlary in such nature of actions. For reformation wherof it mai please the kinges highnes, by the advice of his lordes spirituall and temporall, and the commons in this present parliament assembled, and by auctorite of the lawe, to ordeine and enacte, that lyke proces be had hereafter in every action from henceforth to be brought upon the said statute of anno quinto, as is in a common action of trespass at the common lawe, and that also lyke proces be had in every writte of annuities and coupe haunt hereafter to be sued, as in an action of dette.

C An acte that the defendant shall recouse him against the
plaintiff, if the plaintiff be non-suited, or if he be
dicté palle against him. Item.

[illegible]

HENRI OCTAVA.

kinde of action, bill, or plaint after appaunce of the defendant or defendants be nonsuited, or that any verdicts happen to passe by lawfull trial against the plaintife or plaintifes in any such action, bill, or plaint: that than the defendants or defendants in every such action, bill, or plaint, shall have iudgement to recouer his costes against every such plaintife or plaintifes: And that to be assessed and taxed by the discretion of the iudge or iudges of the court, where any such action, bill, or plaint shall be commenced sued or taken. And also that every defendant in such action, bill, or plaint shall have such procees and execution for the recouere and having of his costes against a plaintife or plaintifes, as the same plaintif or plaintifes should or might have had against the defendant or defendants: in case that iudgement had been geuen for the parte of the saide plaintife or plaintifes in any such action, bill, or plaint.

¶ Provided alway that all and every such poore person or persons being plaintife or plaintifes in any of the saide actions, bills, or plaintes, whiche at the commencement of their suites or actions be admitted by discretion of the iudge or iudges, where such suites or actions shall be pursued or taken, to have their procees and counsaile of the court without any money or fee paying for the same, shall not be compelled to pay any costes by vertue or force of this statute, but shall suffice other punishment, as by the discretion of the iustices or iudge, afore whom such suites shall be pend, shall be thought reasonable, any thing afore referred to the contrary herofore notwithstanding.

¶ And that no englishe man shall sell exchange or bestow any land or tenement to be conveyed into Scotland any horse, gelding, or mare without the kinges licence.



Where before this time divers of the kinges subiectes, and namely of the moste parties of this realme, as well in time of peace as of warre, have sold and conveyed out of this realme into Scotland many and divers great multitude of horses, geldinges, and mares whiche hath been thought not only a great occasion of strength and boldnes to the Scottishe men, but also a great detriment to the kinges subiectes in the defence of the same.

¶ It is therefore enacted by auctorite of this present parliament, that if any person or persons after the feast of saint George the next commynge sell, exchange or deliver within their realm of Scotland or in any place or ground called the habitable groundes betwene England and Scotland,

ANNO DOMINI

to the use of any Scottishe man any horse gelding or mare without licence obtained of the kinges highnes by his letters patentes under his great seale so to do: by sell exchange or deliuer to any Scottishe man within this realme of Englande wales the towne of Barwike, or marches of the same or in any of the saide notable groundes, to the intent to be conuied into Scotlande, any horse gelding or mare without speciall licence obtained of the kinges highnes by his letters patentes under his great seale so to do: that than the same sale exchange or deliuer of such horse gelding or mare contrarie to this present acte shalbe aduinged and deemed by the law felony as well in the seller exchanging or deliuerer, as also in him or them to whom the same sale exchange or deliuer shall be made. And that it shall be leif as well to the warden and wardens of the east west & middell marches for the time being, in their warden courttes, as also to the kinges Justices of his peace in their quarter sessions in every shyre of this realme, to enquire, here, and determine all and every such felonies, after like manner as is vied in other felonies at the common lawe, whether the same sales, exchanges, or deliuer be made by or done by any person or persons contrarie to this acte in the realme of Scotland or in any parte of the saide notable groundes, or within the realme of England, Wales, or any the marches of the same. And that it shall be leif to every person and persons, being the kinges officers, and inhabiting in the foresaide marches for a part, Scotlande, to arrest any Scottishe man, loadinge or conueying any such horse, gelding or mare out of this realme into the same realme of Scotland: and that the moitie or one halfe of the price of the saide horse, gelding, or mare, shalbe to the use of the treasourer and arreftour of the same after his will of the same made. And the other moitie to the kinges highnes.

Acte concerning the true binding of wools. 1541
It enacted by the king our soveraigne lord and the lordes spiritual and temporall, with the commons in this present parliament assembled, and by authority of the same, that from henceforth no maner person ne person nor shalbe or cause to be wounde any fleete of wolle beinge not sufficiently ruered or washed, no wounde or cause to be wounde within any fleete, clay, leet, dore, fild, cradle, deceptall, tocke, cott, calles, cott, or lamme wolle, or any other thinge, whereby the fleete may be the more weightie, with the loss and loss of the wolle, upon paine the seller of any such deceptall wolle to forfeite for every such fleete of wolle the summe of ten shillings to the king, the other to the finder with police of the same wolle, by action of debt by original, or by bill plaint and information of officer in any

HENRIK HO GTAM.

any of the kinges counten to which action no longer of late afforene
generation shall be allowed for the defence thereof at shewing or expounding
the same by all such parties as are concerned therein touching and reaching of
any well affected maner whiche extendeth to any person or persons the inhabitan-
ts of any town or borough or hamlet before this time to have or have been
their sheepe slain they be home nor shall in any wise be hurtfull or payn-
full to any person or persons that hath beene accustomed to sell their
woolles by tale or number of the lease or fleeces and not by weight; any
thing in this acte to the contrary notwithstanding. This acte to endure
to the next parliament.

James the first by his letters under the great seale of Great Brittain bearing date the fourth day of January in the first year of his said majesties said most excellent majesties did give full power unto our right honorable lordes and counsaillors that they should make such laws and statutes touching the same as they should think good.

And the said lordes and counsaillors have caused this present statute to be made publicke in the court of Chancery and also to be printed and sold by Thomas Stansfeld printer to the said lordes and counsaillors.

Whemais, Shiffer, and communalitie of the cite of yorke, e
ther the hinges true subiectes inhabiting and dwellinge
nigh vnto the riuer of Ouse, and the water of Humber, &
all other occupiers of the same riuer and water, lamenta-
bly complaininge, shewen vnto our soueraigne lord the
king, the loades spirituall and temporall and the common
in this present parliament assembled, that where the saide cite beinge yie
of the most ancient cities of this realme, hath ben much reliued, mainte-
ned, and supported by the saide riuer of Ouse and water of Humber, which
be the common and directe passage and way from Hull vnto yorke afoze-
saide, by reason that many shippes, keeles, cogges, and botes, & other ves-
sels, haue heretofore had their franke passages without let, impediment,
or interruption, in and vpon the saide riuer and water of Ouse and Hum-
ber from diuers parties of this realme vnto the said cite, hereby the said
cite hath hitherto most chiefly ben advanced: And now of late certayne
persons studieng onely for their owne private lucre, not regarding the
common weale, but daily imagining the bitter destruction, ruine, & decay
of the saide cite and the countres adioining vpon the saide riuer of Ouse
and water of Humber, and occupiers thereof, hath and doo keepe pre-
serue and mainteine certayne ingins for takinge of fishe in the saide riuer
and water of Ouse and Humber, commonly called fishing gathes, and set
in the saide riuer and water in such places of the same, where shippes
shoulde haue their liberall and direct passage in the middes of the streame
of the saide riuer of Ouse and water of Humber, stakes, piles, and other
things in and vpon the common passage for shippes, keeles, cogges,
botes, and other vessels at diuers and many places in the saide riuer of
Ouse and water of Humber; by reason whereof not onely the saide ship-
pes keeles, cogges botes and other vessels are daily in perperdie, and men
chilozen

that by good and lawfull means in the said shire of Dorset and the city of Dorchester
like more to encrese to be broken and saint which shire and city brotherman
of the said shire and water of Dorset and the city of Dorchester be
thorowly thereby dissolved and petrified, to the better and more firm and
consolidation of the said shire, which shire is referred to in the said charter
provided. And where it may please our said sovereign lord, king, with
the assent of the lords spiritual and temporal, and the commons in this
present parliament assembled, and by authority of the same, that the lord
Chancellor of England, for the time being, by the king's commission
under his great seal, afore the first day of May nexte comminge
shall by his discretion appoint .viij. sad and discrete persons, wherof .iiii.
of them to be of the shires of the said shire of Dorset, and burgh of the
said towne of Dorchester, and the other .iiii. to be .ii. of them Justices of the
peace of the west riddinge of the county of Dorset, and the other .ii. Ju-
stices of the peace of the East riddinge of the same countie, that they .viij.
shall .ii. of them, wherof two of them to be of the said shire of Dorset
and burgh of the said towne, and other two to be, one of them
Justice of the peace of the west riddinge, and the other of the East
riddinge of the said countie, on this side the first day of June nexte
comminge, shall have power and authority wherby and by the said Justices
gather, wates, piles, stakes, and other ingins set and made in the said
shire and water of Dorset and Pymbe: whiche said persons so assigned shall
have power and authority by vertue of this acte to appoint and assigne by
their discretions the owners of the said fishgathes, stakes, piles, and
other ingins to abide and pull up, or cause to be avoided and pulled up
within .xl. daies after suche licence made and monition given to the
said owners, under suche and as muche of the said fishgathes, piles,
stakes, stakes, and other ingins, whiche than by their discretions shall be
thought expedient, mete, and convenient to be avoided and pulled up,
that the said shippes, keppes, rogges, botes, and other vessels, pallinge
and repallinge on the said river and water of Dorset and Pymbe, to or
from the said shire of Dorset and towne of Dorchester, may have direct liberte
and franke passage in through or upon the said river of Dorset and water
of Pymbe without any perturbatione impediment let or bounget by crea-
tion of any of the said fishgathes, piles, stakes, or other ingins than first
erected and standing in the said river and water of Dorset and Pymbe,
and that the said owners on everie side of the said fishgathes and o-
ther ingins nexte to the middell of the said water streame and passage
of the said vessels, there to sette or cause to sette within the said .xl. daies
before limited twoo piles of the lengthe of one yerde over and above
the highe watermarke at the full sea of the said river and water of the
springe tide, there to bee and remaune, and to bee kepte and repa-
red by the said owners what neede shall require the same for ever, that
suche

HENRICI OCTAVI.

suche persons as shal passe and repasse with shippes keiles rogges and o-
ther vessels in the saide waters, maye have better knowledge and sight of
the direct way and passage in the said waters; through the said fishgar-
thes and ingins in the said waters, bothe and other vessels:

¶ And be it enacted by the said auctoritie, that the lord Chancellor of En-
glande, for the time being, at all times after the saide first surueiance, upon
request to him to be made by the mayre and cominaltie of the said cite and
towne, or by any other wise and sufficient person of the said cite and towne for
the time being, or other person by them vnder the common seales of the
said cite and towne auctorised, shal haue power and auctoritie by his dis-
cretion, to make and directe like commissions vnto. vii. sad and discrete
persones, wherof. iiii. of them to be the citizens and inhabitantes of the
saide cite and towne, and the other. iiii. to be Justices of the peace, the
one of the west riddinge, and the other of East riddinge of the countie of
york, not of fee nor returned with the said cite nor town, that they. vii.
but. vi. b. or. iiii. of them, wherof two of them shal be of the saide cite and
towne, and the other. ii. Justice of peace, the one of the East riddinge and
the other of the west riddinge of the said countie, by vertue of the said com-
mission, shal and may the saide owners assigne and appoint to pul bp and
redresse or cause to be pulled bp and redressed within. xxi. daies after mo-
nition geuen to the said owners by the saide commissioners or by suche of
them taking the charge of the execution of the saide commission. suche and
as muche of the saide fishgarthes and other impedimentes to be made in
the saide waters, to the let and disturbance damage or reparation of any shippes
keiles bores or any other vessels pallinge or repalling to or from the saide
cite of yorke to the saide town of Hull, as by them shal be thought meete
and conuenient.

¶ And further be it enacted by the saide auctoritie, that no maner of per-
son or persones within the saide riuer and water of Ouse and Humber,
shall set fishgarthes or any other ingins to take fishe withall within
the waters aforesaide, but onely with suche nettes and other ingins as
shall be of assise and measure, accordinge to the standerd and auncient
and laudable customes vsed in the saide riuer and water of Ouse and
Humber, and also to ble the fishynge within the saide waters all suche
times as within the same hath of olde time bene accustomed, and at none
other time.

¶ And further be it enacted by the auctoritie aforesaide, that euery of
the saide owners and occupiers of suche fishgarthes for euery monethe
offendinge contrarie to this acte, shall forfeit. xl. li. And euery other per-
son in fishynge contrarie to this acte offendinge, shall forfeite. x. li. the
one halfe of whiche penaltie and penalties to be to our soueraigne lord
the kinge, and the other halfe to the mayre and comminaltie of the saide
cite of yorke and their successours, and the same to be recouered againste
euery

every persone and persones so offending as well by byll information or otherwise at the hynges suite as by original writs of dette at the suite of the said mayte and communitie and their successours, in whiche action the partie defendante shall not wage his lane, nor have any protection or effence allowed.

● GOD SAVE THE KING. ●



HENRICI OCTAVI.

An acte concerninge the kinges gracious and free
pardon for his spirituall subiectes
within the prouince of
yorke. Cap. vii.



He king our soueraigne lord calling to his blessed
a most gracious remembrance, that his good & lo-
ving subiectes, the most reuered father in god Ed-
ward archbishop of yorke, & other bishops suffra-
ganes prelates & other spiritual persons of the pro-
uince of the archbishopricke of yorke of this realme
of England & the ministers vnder written, which
haue exercised practised or executed in spirituall
courtes and other spirituall iurisdictiones within
the sayde prouince, haue fallen and incurred into dyuers daungers of his
lawes by thinges done perpetrated and committed contrary to the or-
der of his lawes, and specially contrary to the fourme of the statutes
of prouisoirs prouisions and premunire. And his highnes hauyng
alwaies tender eie with mercie pitie and compassion towardes his said
spirituall subiectes, myndyng of his highe goodnesse and greatte be-
nignitie so alwaies to imparte the same vnto them, as Justice beyng
dailye administred, all rigour be excluded, and the greatte and beneuo-
lente myndes of his saide subiectes largely and manie tymes approued
towardes his highnesse, and specially at their conuocation and synode,
holden in the chapter house of the metropolitane church of yorke by co-
respondence of gratitude to them to be requited, of his mere motion be-
nignitie and liberallitie, by auctoritie of this his present parliament, hath
gyuen and graunted his lyberall and free pardon to his sayde good and
louinge spirituall subiectes and the saide ministers and to euery of them,
to be hadde taken and enioyed to and by theim and euery of theim by ver-
tue of this present acte in maner and fourme ensuyng. That is to wytte
The kynges highnes of his saide benignitie and hygh liberallitie in con-
sideracion that the said archebyschoppe byshoppes and clergie of the sayde
prouince of yorke in theyr sayde Conuocation haue gyuen and graunted
to him a subsidie of eyghtene thousande eyght hundred fortie poundes
and tenne pence of lafull money currant in this realme to be leuied and
collected by the saide clergie at their proper costes and charges, and to be
payde in certaine fourme specified in their saide graunte therof, is fullpe
and resolutely contented and pleased, that it be ordeyned established and
enacted by auctoritie of this his saide parliament, that the moste reuerende
father in god Edward archebyschop of yorke metropolitane and primate
of Englande, and all other byshoppes and suffraganes prelates abbottes
priours and other conuenter, and euery personne of the same conuenter,
and conuenter corporate, and euery person of the same conuenter corpo-
rate

rate abbayes priories and religious nunnes, and all other religious and spirituall persons deanes and chapters and other dignities of cathedrall and collegiat churches prebendaries canons and petie canons vicars and clerkes of the same and euery personne of the same, all archdeacons maisters prouostes presidentes wardens of colleges and of collegiate churches, maisters and wardens of hospitals, all felowes betherne scholets prelates and spirituall conductes and euery of the same, and all vicars general of dioces chauncellours commissaries officials and deanes rurals, and all ministers hereafter generally reherled of any spiritual court or courtes within the laide prouince of yorke, That is to saie, all iudges aduocates registers and scribes, proutours constituted to iugementes and apparitours and all other, whiche within the laide prouince of the archebyschopriche of yorke at any time heretofore haue administered exercised practised or executed in anye iurisdiction within the layde prouince as officers and ministers of the laide courtes, or haue bene ministers or executours to the exercise or administration of the same. And all and singuler politike bodies spirituall in anie maner of wise corporated, and all persons vicars curates chantries prelates, stipendiaries, and all euerie person and persons spirituall of the clergie of the laide prouince of yorke, in this presente acte of pardon hereafter not excepted, or to the contrary not provided for, by what so euer name or surname name of dignitie preeminence or office they or anye of them be or is named or called, the successours heires executours and administratours of them and euery of them, shall be by auctoritie of this present pardon acquitted pardoned released and discharged ayens his highnesse his heires successours and executours and euerie of them of all and all maner offences contemptes and trespasses committed or doone ayens all and singuler statute and statutes of prouisors prouisions and premunure and euery of them, and of all forsaures and titles that mai growe to the kinges highnes by reason of any of the same statutes. And of all and singuler trespasses wronges deceptes misdemeanours forsaures penalties and profytes, sommes of money, peines of death, peynes corporall and pecuniar as generally of all other thynges causes quarrells suites iudgementes and executions, in this presente acte hereafter not excepted nor forpyled, whiche may be or can be by his highnes in anie wise or by any meanes pardoned before and to the tenth daie of the monethe of Marche, in the .xlii. yere of his moste noble reygne to euerie of his said lounge subiectes: That is to saie, to the laide archebyschop and other the laide bysshoppes suffraganes prelates abbottes priours and conuentes and euery person of the same conuentes, and conuentes corporate, and euerie personne of the same conuentes corporate, abbesses prioresses nunnes and spirituall persons in dignitie, and all other religious and spirituall persons deanes chapters presidentes prebendaries canons petie canons vicars chozals and clerkes, archdeacons maisters prouostes prelates

HENRICK OCTAVI.

make out by writte out any manner of writtes or other processe or any extrar-
tes or other preceptes whiche any person or persons of his said subiectes
or any of the said bodies corporate or politicall bodies: spirituall or any of
them shall be in any wise arrested, attached, deteyned, summoned or other-
wise vexed, troubled or grieved in his or their bodies landes, tenementes
goodes or cattails or in any of them, for or because of any manner of thinge
acquired, pardoned, released, or discharged by the present acte of free par-
don, by so offending; and the cost lawfully expended shall paye and pay
for recompence thereof to the parties grieved or offended, with damages
accomplished in parcel of those damages all costs of the suite. And neuer the
least alld singular such writtes, processe, extrartes and preceptes after
the said rathe of Easter nexte coming to be made for or upon any manner
thinge acquired, pardoned, released and discharged by this present acte of
free pardon, shall be hitte or of none effecte.

¶ Excepted alwaies and forpysed out of this pardon all manner of highe
treasons, all premeditated and voluntarie murders, all robberies of churches
and robberies done upon or to menues persons, al other felonies and rob-
beries by the common lawe, of felonous taking of money, goodes and rat-
tels above the value of. xx. s. all felonous by burninge of houses, all ear-
nall murthermentes of women, all raisinge of sedicions, all outlawries of
high treason, and of all manner of felonies, other than felonies to the said
value of. xx. s. or under that some. And that al other outlawries had or pro-
migate upon or against any of the kinges said subiectes for any cause
not beinge treason, murder, or felony above the said value of. xx. s. to be par-
doned by the generall wordes of this pardon also shalbe. So alwaies that
the same said subiectes and euerie of them so beinge outlawed stande to
right to answer or satisfie the parties at whose suite he is outlawed, ac-
cording to the lawes of this realme.

¶ Also excepted and forpysed out this pardon all titles and actions of
dures impedite, and titles of presentacions, donacions and collacions to
benefices and other promotions spirituall, whiche the king our souveraigne
lorde hath or is intituled to have, other than be growen shoulde or might
growe unto our said souveraigne lorde by force or meane of any statute or
statutes or prouisoins, prouisions or premunice.

¶ And also excepted and forpysed out of this pardon all rauishments of
the kinges wardes al waies of the kinges wooddes in his forrestes, parkes,
and chales al conceilmentes of customes & subsidies, all riottes, routes and
unlawful assemblies committed & done above the nombre of. xx. persons.

¶ And also except al manner of alienacions & giftes into mortmain, & al alie-
nacions giftes assignementes, & sales & luntacions of hies of any maners lades
tithes, rentes annuities & other hereditamentes to thuse of any maner mort-
main, & al intussus had made or done in or into any manours lades tithes
or other hereditamentes within the first of the Statute of our lord god in the .xxiiij.

year of the reigne of our saide soueraigne lordes. And also all offences committed and do be by biggunge doyne or by biggunge doyne of any cross or crosses, whiche shode, or were set in any common or high waie or waies. And all and singuler dettes other then dettes growen by recognisances being all redie forsaith for suretie of the peace, or for appauntment any day or place.

¶ And excepted and forsaith out of this pardon all accomptes and all actions suites and impositions for the same accomptes and charges of accomptes and for the saide dettes: or any of them her by excepted and forsaith, all homages and relieffes, all wilfull escapes as well of countes as of other persons, dettes whiche were due to the most noble kynge of famous memoire king Henry the. viii. or to any person or persons in his life by any condemnation recognisance obligation or other title, all and singuler those forsaithures due to our soueraigne lordes the king Henry the. viii. by any penall statute or statutes, whiche he committed or to the nature of dette by iudgement or by agreement of the offenders before the saide tenth day of Marche: and all forsaithures and other penalties and profits growen or due by reason of any offence or acte committed or done contrary to any statute or statutes, or contrary to the commandment, taken of any felow is made, or any in by malice or in by the kinges. And whiche or any suite commenced before the tenth day of Marche, or whiche of the kinges highnes by his will assigned, or other title hath made any gift or other assignment to any of his servants other then in the actions suites, forsaithures, penalties, and profits growen or due, or which might growe or be due to the kinges highnes by reason of any offence contempt or acte committed or done contrary to the saide statute of prodigious prodigious and premiums or any of them.

¶ And also excepted all issues forsaith fines and amerciaments assessed taxed set extorted or iudged secretly or particularly extendinge about the somme of xxx. s. And that all any singular other fines as well fines pen- lucencia concordandi as other, and all other issues and amerciaments as well as all as other, forsaith before the saide. x. day of Marche, which severally or particularly extende not above the saide somme of xxx. s. whether they be totted or not totted taken to the charge of the shireffe, or not taken to his charge, extorted or not extorted, whether they be turned into debt or not debt, and not being leued nor received by any shireffe or shireffes bayliffes, ministers, or other officers shal be fully clerely and plainly pardoned and discharged to every of the kinges subiectes before referred, against the king our soueraigne lordes his heires and succellours for ever.

¶ And it is further enacted by auctorite aforesaid, that in case it be objected to any shireffe or shireffes or other accoptantes in the kinges court of his Bench, or in any other his court, that any shireffe or shireffes or other officers accoptantes hath or haue received or take any such fines issues

HENRICI OCTAVI.

presidentes wardens fellows brethren scholars prelates and spiritual con-
 ductes chancellours vicars general of dioceses commissaries officialles
 deanes rorales, all iudges advocates registers and scribes proctoures
 and apparitors, which haue administered preached or executed any iurisdic-
 tion in any spiritual court within the saide prouinces, and to the sayde
 politic bodies spiritual persons vicars curates chapter prelates ripen-
 diaries, and to al and every other person and persons spiritual of the clergie
 of the saide prouince, and to al and every other person a persons before named.
 ¶ Also the kynges highnes is conuined, that it be enacted by auctorite
 of this present parliament, that the saide free pardon shal be as good and
 effectual in the lawe to every of the saide spiritual subiectes of the saide
 prouince and to euerie of them and to the saide ministers and euerie of
 them, and to al and euerie of the saide bodies corporate and other persons
 before named, and to euerie of them by the general wordes before rehearsed
 in all thinge, whiche he not hereafter in this present acte excepted, as the
 sayde pardon shuld haue bene, if all offenders contemptes and forfeitures
 causes matters lites quarrels iudgemented executions penalties and all
 other thinges not hereafter excepted had ben particularly singularly and
 playnly pardoned named rehearsed and specified by proper or expresse wordes
 and names in their kindes natures and qualities in wordes and
 termes there vnto requisite in the saide pardon. And that the saide sub-
 iectes hereafter not excepted nor any of them their saide ministers succe-
 ssors heires executors nor administrators of any of them nor any of
 them, nor any of the saide bodies corporate be nor shall be sued here nor
 inquired in their bodies goodes landes or cattelles for any manner matter
 cause contempte maliciantour fordistress trespass offence or anie other
 thinge suffered done or committed before the saide tenth day of March ag-
 gainste the kynges highnes his coronacion prerogative, lawes statutes or
 dignitie, but only for such causes matters and offences as be specially and
 playnly rehearsed in the exceptions forpyles and provisions in this presente
 pardon here after mentioned, and for none other, any statute or statutes
 lawes customes vse or prescriptive heretofore made or vied to the contrarye
 in anie wise notwithstanding.

¶ Also the kynges highnes of his bounteous liberalitie by auctorite of
 this present parliament graunteth and freely giveth unto his saide spiri-
 tual subiectes and their saide ministers, that is to saie to the saide arche-
 bishop and all other the saide byshoppes suffraganes prelates, abbottes
 priours conuentes abbesse prioresses nunnes and spiritual personnes in
 dignitie, and all other religious and spiritual persons deanes chapters
 prebendaries canons petie canons vicars chorals and clerkes archdea-
 cons maisters prouostes presidentes wardens fellows brethren scholars
 prelates spiritual conductes chancellours vicars general of dioceses, com-
 missaries officialles deanes rorales iudges advocates registers scribes pro-
 ctours

courts and apparitions bodies corporate, and pollicke bodies spiritual, persons vicars curates chantries priests and monies and to all other persons spiritual men and women of the diocese of spiritualities of the sayde province and to every of them all such goodly chattellles fines issues profits amerciaimentes forsaikes and summes of money by any of them forsaite, whiche to his highnes do or shuld belonge of apperteyne by reason of any offence contempt mysdemeanour trespass blatit cause or quarrell suffered done or committed by them or any of them before the sayde court the day of marche, whiche be not hereafter specially and plainly forspiced and excepted in this present acte of pardon. And that all and every of the said spiritual subiectes and their said ministers, and al and every of the said bodies corporate and other persons before named may by him selfe or his or their attorney or attournies according to the lawes of this realme please and ministe this present acte and free pardon for his or their discharge of and for every thinge that is thereby pardoned without any fee or other thinge therfore in any wise payng to any person or persons for pleadynge wytyng or entrie of iudgement or for any other cause concerninge the same but onely: first to the clerke that shall entre the plea matter or iudgement for his or their discharge in that behalfe, any statute or statute to the contrary not withstandinge, in full and entire. And furthermore the kinges highnes is contented, that it be enacted by auctorite of this present parliament, that his sayde free pardon in all maner courts of his lawes and els wher shall be receyved deemed iudged allowed and taken as both in the wordes and clauses of the exceptions and forspices specified in his present pardon as aforesaid, with all and singular the other clauses wordes and sentenches therein contained and referred in the said free pardon, most benevolently and complacently small and singular his sayd subiectes, and to every of the sayde bodies corporate and pollicke bodies spiritual and to every person spiritual of the sayde diocese and spiritualitie and to their said ministers & officers, and to all other persons afore named and so every of them, and to the successors heires executors and administrators of every of them, and most strongly in barre and discharge against his highnes his heires successors and executors in every thinge withoute obstacle chalenge or other delaye what so ever it be, to be made pleaded objected or alleged by the kinge our soueraigne lord his heires successors or executors, or by his or any of their generall attorney or attournies, or by any other person or persons for his highnes or any of his heires successors or executors. And furthermore it is enacted by the king our soueraigne lord, and by auctorite of this present parliament, that if any officer or clerke of any of his high courtes commonly called the kinges bench Chancery and commune place or of his exchequer, or any other officer or clerke of any other of his courtes within his realme after the feast of Easter next commynge,

make

HENRICI OCTAVI.

or amerçiaementes befoze pardoned, released or acquitted: that than every suche shiriffe and shiriffes and other accomptantes shall be discharged released pardoned and acquitted therof by his or their othe without any further triall in that behalfe.

¶ Provided alwaie that this acte of free pardon shall not extende or be in any wise beneficiall to any clerke or other person of the saide clergie or spiritualitee, being the said tenth day of Marche in the custodie of the sayde archebischop, or of any other ordinarie of the saide prouince, as a person attainted or convicted by the lawes of this realme of anie murder, felonie, or other crime or offence for or concerninge deliuerance out of the conuicte person, till that he shall haue made his purgacion according to the lawes or customes bled in that behalfe, or that he be therof discharged by the kinges pardon or other lawfull meane.

¶ Provided also that this acte of pardon shall not extende nor be prejudiciall to the kinge our soueraigne lord his heires or successours in anie thing concerning or touching his right and title of dissolucion of the college being in the vniuersite of Oxfoꝝd commonly called the cardinals college, whiche was lately founded by the late reuerende father in god Thomas late Cardinall and archebischop of yorke, nor concerninge the kinges right and title to the suite of the same college. Nor shall extende or be in any wise beneficiall or auaylable to the deane and canons of the same college or any of them in any thinge concerninge the kinges rightes and titles in al manours, lordshippes, landes, tenementes, aduousons, churches, pelsonages, and other hereditamentes of the saide college or any of them.

✠ GOD SAVE THE KYNGE. ✠

Tho. Berthelet regius impressor excudebat.

CVM PRIVILEGIO,